



## MAYOR AND COUNCIL

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**MEETING NO. 31-20**  
**Monday, October 5, 2020 – 6:00 PM**

### AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to the state directives for slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

#### **Viewing Mayor and Council Meetings**

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at [www.rockvillemd.gov/rockville11](http://www.rockvillemd.gov/rockville11), and available a day after each meeting at [www.rockvillemd.gov/videoondemand](http://www.rockvillemd.gov/videoondemand).

#### **Participating in Community Forum & Public Hearings:**

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to [mayorandcouncil@rockvillemd.gov](mailto:mayorandcouncil@rockvillemd.gov) by no later than 10:00 a.m. on the date of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your **Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone)** to [mayorandcouncil@rockvillemd.gov](mailto:mayorandcouncil@rockvillemd.gov) no later than **9:00 am on the day of the meeting**.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 5:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex>
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test:** <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 3 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

#### **Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Ashton)**

Drop-In Sessions will be held by phone on Monday, October 5 from 5:30-5:45 p.m. **Please sign up by 2 p.m. on the meeting day using the form at:** <https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

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6:00 PM 1. **Convene**

2. **Pledge of Allegiance**

3. **Agenda Review**

4. **City Manager's Report**

5. **COVID-19 Update**

6:15 PM 6. **Proclamation**

A. **Proclamation Declaring October 2020 as Breast Cancer Awareness Month**

B. **Proclamation Declaring October 12 as Indigenous Peoples' Day**

C. **Proclamation Declaring October 2020 as National Arts and Humanities Month**

D. **Proclamation Declaring National Domestic Violence Awareness Month**

6:25 PM 7. **Consent**

A. **Authorization to Release and Extinguish Two Existing Storm Drain Easements and an Existing Sewer Easement on Parcel a of the Fallsmead Subdivision**

6:30 PM 8. **Community Forum**

Any member of the community may address the Mayor and Council for 3 minutes during Community Forum. Unless otherwise indicated, Community Forum is included on the agenda for every regular Mayor and Council meeting, generally between 7:00 and 7:30 pm. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance or sign up in the Mayor and Council Chamber the night of the meeting.

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- 9. Mayor and Council's Response to Community Forum**
- 6:45 PM **10. Worksession with the Board of Directors of Rockville Economic Development Inc.**
- 7:45 PM **11. Presentation of Consultant's Analysis of North Washington Street and East Middle Lane**
- 8:45 PM **12. Town Center Initiative - Update**
- 9:45 PM **13. Undergrounding of MD 355**
- 10:45 PM **14. Review and Comment - Mayor and Council Action Report**
  - A. Action Report**
- 15. Review and Comment - Future Agendas**
  - A. Future Agendas**
- 16. Old/New Business**
- 11:00 PM **17. Adjournment**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: <http://www.rockvillemd.gov/mcguidelines>.

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Mayor & Council Meeting Date: October 5, 2020

Agenda Item Type: Proclamation

Department: City Clerk/Director of Council Operations Office

Responsible Staff: Jacqueline Mobley

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## Subject

Proclamation Declaring October 2020 as Breast Cancer Awareness Month

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## Recommendation

Staff recommend the Mayor and Council read and present the proclamation to members of the Police Department.

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## Discussion

During National Breast Cancer Awareness Month, we honor all those who lost their lives to Breast Cancer and we recognize the courageous survivors who are fight it. One in eight women will be diagnosed with breast cancer in their lifetime. 60-70% of people with breast cancer have no know pre-existing risk factors. Therefore, having an early detection plan including breast exams and mammograms is key. As part of National Breast Cancer Awareness Month, national Mammography Day is observed on October 16, 2020, the third Friday in October. This day serves as a reminder that the best defense is early detection.

National Breast Cancer Awareness Month is an annual international al health campaign organized every October to increase awareness of the disease and to raise funds for research into its cause, prevention, diagnosis, treatment and cure. The campaign also offers information and support to those affected by breast cancer. This month, with pink ribbons displayed across America, we raise awareness of this disease and the need to advance research efforts.

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## Mayor and Council History

This is the seventh time this item has been brought before the Mayor and Council.

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## Public Notification and Engagement

National Breast Cancer Awareness Month is a chance to raise awareness about the importance of early detection of breast cancer. Make a difference – spread the word about mammograms and the importance of early detection.

## Attachments

Attachment 6.A.a: 2020 National Breast Cancer Awareness Month (PDF)



  
Sara Taylor-Ferrell, City Clerk/Director of Council Operations 9/30/2020



**WHEREAS**, October is National Breast Cancer Awareness Month which provides a chance to raise awareness about the importance of early detection of breast cancer and to announce that October 16, 2020 is National Mammography Day, a reminder of the importance of regular mammograms; and

**WHEREAS**, during National Breast Cancer Awareness Month, we renew our commitment to making progress in the fight to prevent, detect, treat, and cure this deadly disease; and

**WHEREAS**, this month, we recognize breast cancer survivors, those battling the disease, and the family members and friends who are a tireless source of love and encouragement for these individuals. Their courage and hope are an inspiration to all of us; and

**NOW, THEREFORE**, the Mayor and Council of Rockville do hereby proclaim the month of October 2020 as **National Breast Cancer Awareness Month** and call upon everyone to join in activities that will increase awareness of what we can do to prevent breast cancer and encourage early detection through mammograms.



*Bridget Donnell Newton*  
Bridget Donnell Newton, Mayor

*Monique Ashton*  
Monique Ashton, Councilmember

*Beryl L. Feinberg*  
Beryl L. Feinberg, Councilmember

*David E. Myles*  
David Myles, Councilmember

*Mark Pierzchala*  
Mark Pierzchala, Councilmember

**October 5, 2020**



Mayor & Council Meeting Date: October 5, 2020

Agenda Item Type: Proclamation

Department: City Clerk/Director of Council Operations Office

Responsible Staff: Jacqueline Mobley

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## Subject

Proclamation Declaring October 12 as Indigenous Peoples' Day

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## Recommendation

The Mayor and Council will read and approve proclamation.

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## Discussion

In 1977, the International Conference on Discrimination Against Indigenous Populations in the Americas, sponsored by the United Nations in Geneva, Switzerland, began to discuss replacing Columbus Day in the United States with a celebration to be known as Indigenous Peoples' Day. Similarly, Native American groups staged a sort of protest in Boston instead of Thanksgiving, which has been celebrated there to mark collaboration between New England colonists and Native Americans in the first years. In July 1990, at the First Continental Conference on 500 Years of Indian Resistance in Quito, Ecuador, representatives of indigenous people throughout the Americas agreed that they would mark 1992, the 500th anniversary of the first of the voyages of Christopher Columbus, as a year to promote "continental unity" and "liberation".

In 1992, the group convinced the City Council of Berkeley, California, to declare October 12 as a "Day of Solidarity with Indigenous People" and 1992 as the "Year of Indigenous People". The city implemented related programs in schools, libraries, and museums. The city symbolically renamed Columbus Day as "Indigenous Peoples' Day" beginning in 1992 to protest the historical conquest of North America by Europeans, and to call attention to the losses suffered by the Native American peoples and their cultures through diseases, warfare, massacres, and forced assimilation.

In the years following Berkeley's action, other local governments and institutions have either renamed or canceled Columbus Day, either to celebrate Native American history and cultures, to avoid celebrating Columbus and the European colonization of the Americas, or due to raised controversy over the legacy of Columbus.

On October 10, 2019, just a few days before Columbus Day would be celebrated in Washington, D.C., the District of Columbia Council voted to temporarily replace Columbus Day with Indigenous Peoples' Day.

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## Mayor and Council History

This is the first time this proclamation has been presented before the Mayor and Council.

## Attachments

Attachment 6.B.a: 2020 Indigeneous Peoples' Day (PDF)



Sara Taylor-Ferrell, City Clerk/Director of Council Operations 9/30/2020





**WHEREAS**, Columbus Day is observed as a federal holiday on the second Monday in October; and

**WHEREAS**, the day recognizes the October 12, 1492 landing of Christopher Columbus on an island in the Caribbean, marking the Europeans' first contact with the "New World;" and

**WHEREAS**, this contact began centuries of settlement on lands already occupied by native peoples of the Americas and exploitation of the New World's seemingly endless resources; and

**WHEREAS**, indigenous Americans experienced conquest, enslavement, displacement, and disease which decimated the population; and

**WHEREAS**, native people who were removed from this area likely include the Piscataway, the Anacostank, Pamunkey, Mattapanient, Nangemeick, and Tauxehent; and

**WHEREAS**, the Mayor and Council recognize the second Monday of October as Indigenous People's Day, re-imagining Columbus Day as an opportunity to celebrate indigenous heritage and resiliency; and

**WHEREAS**, recognizing Indigenous Peoples Day serves as a reminder to reflect on the native people who were here before us, and their descendants.

**NOW THEREFORE**, the Mayor and Council of Rockville, do hereby proclaim Monday October 12, 2020 as Indigenous People Day in Rockville, and call upon all members of the community to join us in celebrating with our friends, family and neighbors.



*Bridget Donnell Newton*  
Bridget Donnell Newton, Mayor

*Monique Ashton*  
Monique Ashton, Councilmember

*Beryl L. Feinberg*  
Beryl L. Feinberg, Councilmember

*David E. Myles*  
David Myles, Councilmember

*Mark Pierzchala*  
Mark Pierzchala, Councilmember

October 5, 2020



Mayor & Council Meeting Date: October 5, 2020  
Agenda Item Type: Proclamation  
Department: City Clerk/Director of Council Operations Office  
Responsible Staff: Betty Wisda

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## Subject

Proclamation Declaring October 2020 as National Arts and Humanities Month

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## Recommendation

The Cultural Arts Commission and Staff recommend that the Mayor and Council read and present the Proclamation to Cultural Arts Commissioners

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## Discussion

The month of October has been recognized as National Arts and Humanities Month by cities across the country. The arts and humanities enhance and enrich the lives of individual residents and entire communities across the nation. The City of Rockville's Cultural Arts Commission works to promote and enhance arts and humanities throughout the City. The Commission recommends to the Mayor and Council appropriate programs, activities and policies, aimed at further developing Rockville as a cultural center. Rockville offers to residents and visitors a variety of amenities, such as the F. Scott Fitzgerald Theatre, historic Glenview Mansion, and the Art in Public Places program. Residents and visitors also benefit from a wide range of other quality arts and humanities organizations in Rockville.

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## Boards and Commissions Review

The Cultural Arts Commission unanimously recommends that the Mayor and Council declare October as National Arts and Humanities Month.

## Attachments

Attachment 6.C.a: 2020 National Arts and Humanities Month (PDF)

  
Sara Taylor-Ferrell, City Clerk/Director of Council Operations 9/30/2020





**Whereas**, the month of October has been recognized as National Arts and Humanities Month by thousands of communities, cities, and states across the country as well as by the White House and Congress; and

**Whereas**, the arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind; and

**Whereas**, the arts and humanities enhance and enrich the lives of every American; and

**Whereas**, the arts and humanities play a unique role in the lives of our families, our communities, and our country.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of Rockville do hereby proclaim October 2020 as **National Arts and Humanities Month** in Rockville, Maryland and call upon the Rockville community to celebrate and promote the arts and culture in our nation and to specifically encourage the greater participation by those said community members in taking action for the arts and humanities in their towns and cities.



*Bridget Donnell Newton*  
Bridget Donnell Newton, Mayor

*Monique Ashton*  
Monique Ashton, Councilmember

*Beryl L. Feinberg*  
Beryl L. Feinberg, Councilmember

*David E. Myles*  
David Myles, Councilmember

*Mark Pierzchala*  
Mark Pierzchala, Councilmember

**October 5, 2020**



Mayor & Council Meeting Date: October 5, 2020  
 Agenda Item Type: Proclamation  
 Department: Housing and Community Development  
 Responsible Staff: Asmara Habte

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## Subject

Proclamation Declaring National Domestic Violence Awareness Month

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## Recommendation

Staff recommends that the Mayor and Council read and present the proclamation Ms. Judith Clark to accept the proclamation.

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## Discussion

The City of Rockville issues an annual proclamation on National Domestic Violence Awareness Month to increase domestic violence awareness and recognize that more work is needed.

Domestic Violence Awareness Month evolved from the “Day of Unity” held in October 1981 and conceived by the National Coalition Against Domestic Violence. In 1989, Congress passed Public Law 101-112, designating October as National Domestic Violence Awareness Month. In 1994, the Violence Against Women Act, led by then-Senator Joe Biden, was enacted. It is considered a landmark in the fight against domestic violence. The legislation was put in place to ensure that victims received services and programs and held offenders accountable. There are significant efforts worldwide to reduce domestic violence, but there is still a lot that needs to be done, making Domestic Violence Awareness Month important.

Domestic violence is an intentional pattern of controlled and dominant behavior exhibited by one partner in an intimate relationship over another, and it can also include violence or abuse from a family member. This relationship can be current or former. Domestic violence is not limited to the boundaries of race, age, gender identity, or ethnicity. Its impact is widespread to include the partners in the relationship and children, friends, and family. The U.S. Department of Justice estimates that 1.3 million women and 835,000 men are victims of physical violence by a partner every year.

Domestic violence comes in different forms—physical, emotional, and financial. Below are some signs of abuse:

- Your partner sexually or physically abuses you. If they ever make you have sex with them when you don’t want to, hit you, shove you, or push you, this is domestic abuse.



- Your partner threatens you or your family.
- Put-downs--they attack your capabilities, mental health, looks, or intelligence. They blame you for their violent outbursts.
- Your partner is jealous, which may isolate you from your family or friends, or they may accuse you of not being faithful.
- Your partner is possessive. They may check up on you all the time, and they may get angry if you hang out with certain people.
- Your partner has strangled you, beat you, or hit you in the past.

Emotional abuse includes verbal abuse, including controlling behavior, intimidation, isolation, shaming, blaming, name-calling, and yelling. Abusers who use psychological or emotional abuse will often throw about threats of physical violence, as well as other repercussions if you do not do what they demand.

Financial abuse is one of the subtler forms of emotional abuse. Some examples include:

- Taking your money or stealing from you.
- Sabotaging your job – constantly calling or making you miss work.
- Preventing you from choosing your career or working.
- Restricting you to an allowance.
- Withholding necessities, such as shelter, medications, clothes, and food.
- Making you account for every penny you spend.
- Withholding credit cards or money.
- Rigidly controlling your finances.

Resources:

- For anonymous and confidential help, available 24/7, call the National Domestic Violence Hotline at 800-799-7233 (SAFE) or 800-787-3224 TTY. If you are in immediate danger, call 911.
- *Dating Matters: Strategies to Promote Healthy Teen Relationships*
  - <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/datingmatters/index.html>
- Additional survivor help and resources : <https://www.dvawareness.org/seeking-help>

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### Mayor and Council History

The Mayor and Council issues this proclamation annually.

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### Attachments

2020 National Domestic Violence Awareness Proclamation (PDF)

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### Attachments

Attachment 6.D.a: 2020 National Domestic Violence Awareness Day (PDF)



Rob DiSpirito, City Manager

9/30/2020



**WHEREAS**, the National Coalition Against Domestic Violence reports that on average, nearly 20 people per minute are physically abused by an intimate partner in the United States and victims of intimate partner violence lose a total of 8.0 million days of paid work each year, and

**WHEREAS**, domestic violence intensifies over time and appears in any racial, social, economic, and gender category; and

**WHEREAS**, extreme jealousy, blaming, rage, control over partners spending and whereabouts, put-downs, stalking, and threats of bodily harm to a partner or partner's loved ones or even pets are often imposed on victims; and

**WHEREAS**, the impact of domestic violence impacts not only the partner but also friends, family, and children; and

**WHEREAS**, according to the Center for Disease Control and Prevention, about one in nine female and 1 in 36 male high school students report having experienced sexual dating violence in the last year; and

**WHEREAS**, the Family Violence Prevention and Service act is an integral part of legislation that improved our public health response to domestic violence and increased the ability of critical services for victims; and

**WHEREAS**, National Domestic Violence Awareness Month provides an opportunity to learn more about preventing this crime and how to lend support to survivors and the organizations that offer day-to-day services such as safe shelter, food, counseling, clothing, and education.

**NOW, THEREFORE**, the Mayor and Council of Rockville do hereby proclaim October 2020 as National Domestic Violence Awareness Month and call upon everyone to speak out against domestic violence, to support organizations that support domestic violence victims in our community and to help victims of these crimes find help and healing that they need by sharing the 24- hour hotline at 1-800-799-7233 (SAFE), 1-800-787-3224.



*Bridget Donnell Newton*  
Bridget Donnell Newton, Mayor

*Monique Ashton*  
Monique Ashton, Councilmember

*Beryl L. Feinberg*  
Beryl L. Feinberg, Councilmember

*David E. Myles*  
David Myles, Councilmember

*Mark Pierzchala*  
Mark Pierzchala, Councilmember

October 5, 2020



Mayor & Council Meeting Date: October 5, 2020

Agenda Item Type: Consent

Department: PW - Engineering

Responsible Staff: David Waterman

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## **Subject**

Authorization to Release and Extinguish Two Existing Storm Drain Easements and an Existing Sewer Easement on Parcel a of the Fallsmead Subdivision

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## **Recommendation**

Staff recommends that the Mayor and Council authorize the City Manager to execute a document, in a form acceptable to the City Attorney, to release and extinguish a storm drain easement recorded at Liber 3789 Folio 478, a storm drain easement as shown on plat number 9009, and a sewer easement as shown on plat number 9251 in the Montgomery County Land Records in conjunction with the Fallsmead pedestrian bridge project, subject to approval of new storm drain and sewer easements and associated inspection and maintenance agreements.

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## **Discussion**

The existing storm drain easements and the existing sewer easement on the property located at Parcel A of the Fallsmead subdivision, as shown at Liber 3789 Folio 478, on plat number 9009 and plat number 9251, will no longer be necessary because the existing storm drain system and sewer system on the property will be realigned to accommodate the proposed pedestrian bridge. The developer, Fallsmead Homes Corporation, will dedicate a new combined storm drain and sewer easement and a new sewer easement for the realigned storm drain and sewer systems, which will be located on a slightly different area of the property than the existing systems. The location of the existing easements and the approximate location of the new easements to be dedicated are shown in Attachment A.

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## **Mayor and Council History**

This is the first time this item has been brought before the Mayor and Council.

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## **Next Steps**

The City Attorney's Office will review and approve a release to be executed by the City Manager. Upon recordation of new storm drain easements, a new sewer easement, and

inspection and maintenance agreements, the release will be recorded in the Montgomery County Land Records.

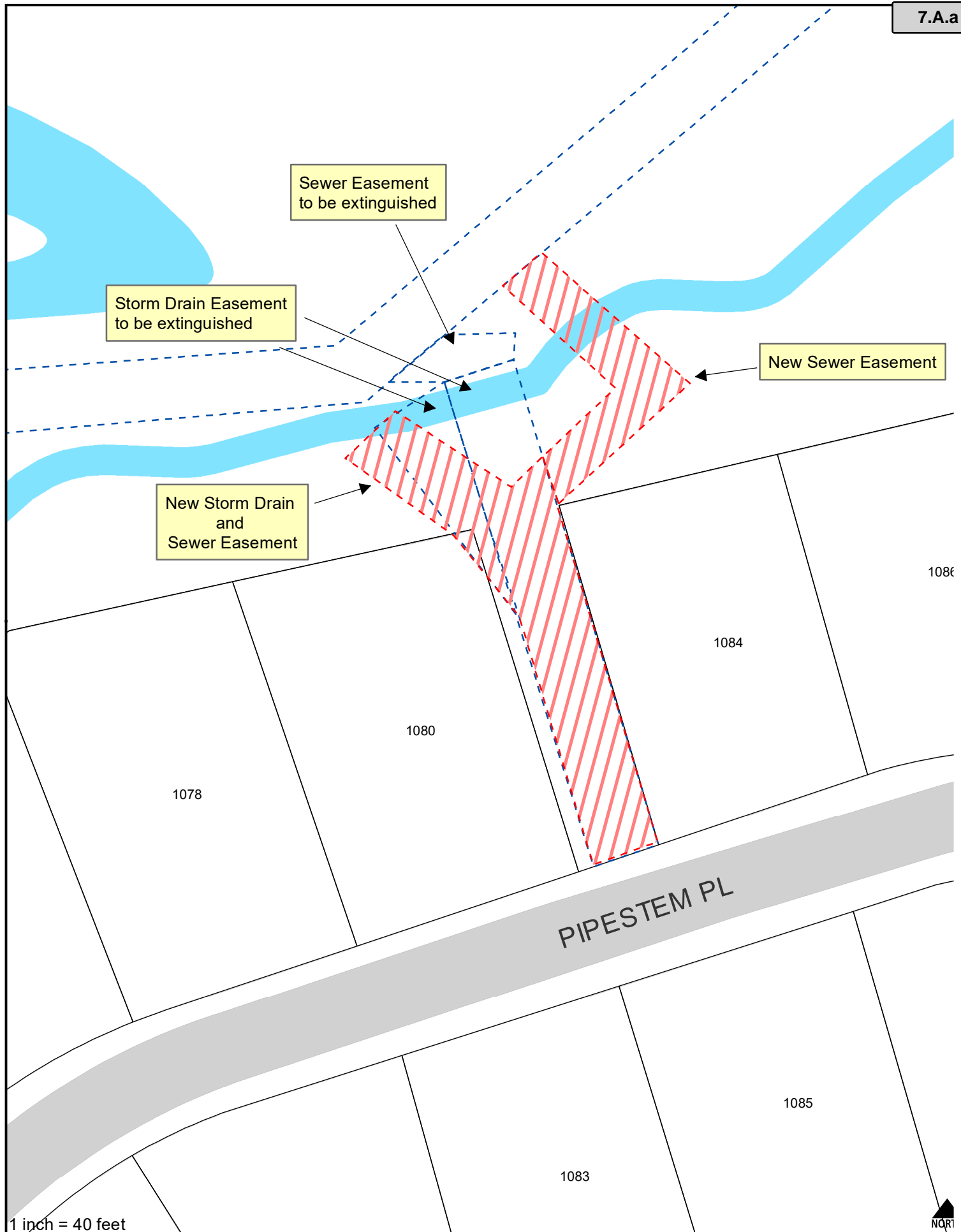
### Attachments

Attachment 7.A.a: Attachment A (PDF)

A handwritten signature in black ink, appearing to read "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

9/28/2020



Attachment 7.A.a: Attachment A (3315 : Authorization to Release and Extinguish Existing Storm Drain and Sewer Easements)

1 inch = 40 feet



Mayor & Council Meeting Date: October 5, 2020

Agenda Item Type: Work Session

Department: PDS - Management & Support

Responsible Staff: David Levy

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## Subject

Worksession with the Board of Directors of Rockville Economic Development Inc.

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## Recommendation

Staff recommends that the Mayor and Council hold a discussion with the REDI Board of Directors, with the purpose of discussing REDI's future activities to promote economic development in Rockville. Staff also recommends that the Mayor and Council indicate its support for the draft new agreement between the City and REDI, or provide direction on any changes it wishes to make.

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## Subject

Worksession with the Board of Directors of Rockville Economic Development Inc.

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## Recommendation

Staff recommends that the Mayor and Council hold a discussion with the REDI Board of Directors, with the purpose of discussing REDI's future activities to promote economic development in Rockville. Staff also recommends that the Mayor and Council indicate its support for the draft new agreement between the City and REDI, or provide direction on any changes it wishes to make.

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## Discussion

On June 13, 2016, the Mayor and Council approved an agreement with Rockville Economic Development, Inc. (REDI) for the period July 1, 2016 through June 30, 2019. Through the agreement, the City made a commitment to “use its reasonable best efforts to support REDI”, including with financial resources; and REDI committed to using the funds for the purposes of economic development in Rockville, as detailed in the agreement. The signed agreement is Attachment A.

The Mayor and Council has approved five amendments to the agreement since it was originally approved. The First Amendment (Attachment B), which was approved on August 1, 2018, provided City funds for REDI to conduct a recruitment process for its new Executive Director. The Second Amendment (Attachment C), which was approved on November 13, 2018, provided funds for REDI to launch the new Rockville Small Business Impact Fund. The Third Amendment



(Attachment D), which was approved on May 20, 2019, extended the agreement until September 30, 2019. The Fourth Amendment (Attachment E), which was approved on July 15, 2019, extended the agreement through June 30, 2020. The Fifth Amendment (Attachment F), which was approved on June 1, 2020, extended the agreement to December 31, 2020.

As such, the existing agreement, as amended, expires at the end of this calendar year. City staff and REDI have held multiple discussions regarding potential changes to be brought into a new agreement and have developed a draft for review by the Mayor and Council. This draft has already been reviewed and approved by the REDI Board of Directors and is provided with redline changes to the 2016 agreement (Attachment G) and without redlines (Attachment H).

During the June 1, 2020 meeting, the Mayor and Council directed staff to schedule a work session during which the Mayor and Council could hold a discussion with the REDI Board of Directors before approving the new agreement. A benefit of these last extensions is that it has provided an opportunity for the new Mayor and Council to become more acquainted with REDI, and to begin to develop priorities and areas of interest for economic development for the current term. The October 5<sup>th</sup> meeting is an opportunity for the Mayor and Council to discuss these matters and to ensure these priorities are embodied and/or enabled in the new agreement.

After completion of the discussion, the Mayor and Council may wish to indicate its support for the draft agreement as written or provide direction to staff regarding changes. Such changes would then be brought to the REDI Board of Directors to ensure that they approve of those changes. In advance of December 31, 2020, staff would then return to the Mayor and Council for approval of the new agreement and authorization for the City Manager to execute the agreement.

### **Proposed Term of the Agreement**

Staff proposes that the term of the agreement last until the end of the first fiscal year after the next Mayor and Council election. As such, the agreement would expire on June 30, 2024. The reasoning for this approach is that each new Mayor and Council would have enough time to learn about REDI's activities and then provide guidance through a new agreement that would be in force for the remainder of that term.

### **The Work Session**

After a brief introduction by staff, the work session will open with a short presentation from REDI's Chief Executive Officer, Cindy Stewart Rivarde. The presentation will include a summary of REDI's Annual Report from FY 2020, and then shift to the goals and strategies that REDI is pursuing in FY 2021.

A discussion will follow, between the Mayor and Council and the REDI Board of Directors, of the short- and long-term goals and strategies for economic development in Rockville.



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## Mayor and Council History

The current agreement was approved by the Mayor and Council on June 13, 2016. Amendments were approved on August 1, 2018; November 13, 2018; May 20, 2019; July 15, 2019; and June 1, 2020.

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## Fiscal Impact

If this extension is approved, REDI will operate under the new agreement until June 30, 2024. For the remainder of this fiscal year (through June 30, 2021), the budget will remain as approved by the Mayor and Council for FY 2021. Future fiscal impacts will be determined by future Mayor and Council budget allocations. The FY 2021 budget consists of the following for REDI:

Budget Item	Amount
Operating Expenses	\$744,860
Small Business Impact Fund	\$450,000
Women's Business Center	\$35,000
REDI Incentives Funds (MOVE and Business Expansion)	\$50,000
<b>TOTAL</b>	<b>\$1,279,860</b>

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## Next Steps

If the Mayor and Council provide no direction for changes to the draft agreement, staff will return before the end of this calendar year for the Mayor and Council to approve the new agreement. If the Mayor and Council direct there to be some changes, staff will make those revisions and bring that draft to a REDI Board of Directors meeting for their review and approval. Staff would then return to the Mayor and Council before the end of calendar year 2021 for approval of the new agreement.

## Attachments

Attachment 10.a: Executed 2016 MC-REDI Agreement (PDF)  
 Attachment 10.b: Executed MC-REDI First Amendment 2016 Agmt (PDF)  
 Attachment 10.c: Executed MC-REDI Second Amendment w Attachment 2016 Agmt (PDF)  
 Attachment 10.d: Executed MC-REDI Third Amendment 2016 Agmt (PDF)  
 Attachment 10.e: Executed MC-REDI Fourth Amendment 2016 Agmt (PDF)  
 Attachment 10.f: Executed MC-REDI Fifth Amendment 2016 Agmt (PDF)  
 Attachment 10.g: Draft REDI-City MOU Redline for 10-5-20 (DOCX)  
 Attachment 10.h: Draft REDI-City MOU Clean for 10-5-20 (DOCX)

**Jenny Kimball**  
Jenny Kimball, Deputy City Manager 9/30/2020

AGREEMENT BY AND BETWEEN ROCKVILLE  
ECONOMIC DEVELOPMENT, INC. AND  
THE MAYOR AND COUNCIL OF THE  
CITY OF ROCKVILLE, MARYLAND

July 1, 2016

## AGREEMENT

This AGREEMENT, made this 15<sup>th</sup> day of July, 2016, by and between the MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE, MARYLAND, hereinafter referred to as the "City," and ROCKVILLE ECONOMIC DEVELOPMENT, INC., a Maryland non-stock corporation, hereinafter referred to as "REDI."

WHEREAS, REDI has been organized by the City for the purposes set forth in REDI's Articles of Incorporation; and

WHEREAS, the City is the sole member of REDI; and

WHEREAS, the City has determined to fund the operations of REDI, upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein, and intending to be legally bound hereby, the parties agree as follows:

### ARTICLE I TERM, FUNDS, AND PAYMENTS

#### 1.1 Term

The term of the Agreement will commence on the date hereof, and will expire three years from the date hereof.

#### 1.2 Funds and Payments

Subject to the terms and conditions of this Agreement and funding by the Mayor and Council, the City will pay the sum of \$556,770 to REDI for work to be completed pursuant to this Agreement during FY 2017. The City will pay amounts subject to available appropriations for FY 2018 and FY 2019.

REDI will submit a request for payment and the City will pay REDI in two equal semi-annual installments in July and January of each fiscal year. The administrator of the Agreement will forward REDI's requests approved for payment to the Department of Finance. The Department of Finance will pay REDI by City check within 20 business days of receipt of each request for payment.

By December 15 of each year, REDI will submit a budget request and spending plan identifying how REDI plans to spend the City funds designated in this Agreement during the following fiscal year. The budget request shall be submitted on forms and according to instructions provided by the City.

ARTICLE II  
 REPRESENTATIONS AND WARRANTIES OF  
 ROCKVILLE ECONOMIC DEVELOPMENT, INC.

REDI hereby represents and warrants to the City as follows, it being understood that such representations and warranties are being relied upon by the City as a material inducement to enter into and perform this Agreement. REDI is a non-stock corporation organized, validly existing and in good standing with the State of Maryland. REDI has no authorized capital stock. The sole member of REDI is the City. REDI has full corporate power and authority to execute and deliver this Agreement and to perform its obligations contemplated hereby.

The execution and delivery of this Agreement has been duly and validly approved by the Board of Directors of REDI and no other corporate proceedings on the part of REDI are necessary to approve this Agreement. This Agreement has been duly and validly executed and delivered by REDI and (assuming due authorization, execution and delivery by the City) will constitute valid and binding obligations of REDI, enforceable against REDI in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a court of law or a court of equity and by bankruptcy, insolvency and similar laws affecting creditors' rights and remedies generally.

ARTICLE III  
 REPRESENTATIONS AND WARRANTIES OF  
 THE CITY OF ROCKVILLE, MARYLAND

The City hereby represents and warrants to REDI as follows, it being understood that such representations and warranties are being relied upon by REDI as a material inducement to enter into and perform this Agreement. The City has full power and authority to execute and deliver this Agreement. This Agreement has been duly and validly approved by the Mayor and Council of the City, and no other approvals or proceedings by or on behalf of the City are necessary for the City to perform its obligations under this Agreement. This Agreement has been duly and validly executed and delivered by the City and (assuming due authorization, execution and delivery by REDI) will constitute valid and binding obligations of the City, enforceable against the City in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a court of law or a court of equity and by bankruptcy, insolvency and similar law affecting creditors' rights and remedies generally.

ARTICLE IV  
 COVENANTS RELATING TO CONDUCT OF BUSINESS

4.1 Covenants of REDI

During the term of this Agreement, and for so long as the City makes the payments contemplated by Section 1.2 hereof, REDI agrees to use the Funds exclusively to further REDI's efforts to accomplish its goals and mission, including to:

- (a) Seek to establish the City as a leading center for economic development while sustaining an equitable balance between commercial and residential segments of the City;
- (b) Promote the retention and expansion of existing businesses in the City, including Fiscal Year 2017 implementation of the Business Expansion Fund;
- (c) Encourage the formation of new business enterprises in the City and attract new businesses to the City, including Fiscal Year 2017 implementation of the Rockville MOVE Program and business attraction goals included in the Mayor and Council's 2016-2019 priority initiatives;
- (d) Create, retain and attract jobs within the City;
- (e) Foster education and communication between the City's business community and the general public;
- (f) Assemble, maintain and disseminate information on the City's business community, workforce and economic climate;
- (g) Promote work force development and a positive business climate within the City;
- (h) Provide economic development, marketing and organizational assistance for redevelopment of strategic business areas within the City, including the Town Center and the Rockville Pike corridor and including supporting the Mayor and Council's priority initiative to explore mechanisms to encourage neighborhood shopping center revitalization;
- (i) Engage in such other activities within the power and authority of REDI as the Board of Directors of REDI reasonably deems necessary to carry out the goals and mission of REDI, as determined from time to time.
- (k) Assignments requested by the Mayor and Council that regularly fulfill the functions of Economic Development, such as participating with the City to develop monetary and non-monetary incentives to be used in coordinated efforts with Montgomery County and the State of Maryland to attract and retain businesses.
- (l) REDI agrees to submit the following to the administrator of this Agreement:
  - (i) A Strategic Initiatives and Work Plan submitted annually during the first quarter of the City's fiscal year which begins on July 1. The document will include goals, strategies, and actions for the current fiscal year. The Strategic Initiatives and Work Plan will also designate measures associated

with each goal that REDI will use to assess success in completing the organization's strategic initiatives and work plan;

(ii) A written report summarizing the operations and activities of REDI during the previous fiscal year submitted by August 30 of each year. The report will include data for the measures of performance defined in REDI's Strategic Initiatives and Work Plan;

(iii) An annual financial statement submitted by August 30 of each year; and

(iv) A copy of REDI's annual audit.

(m) In addition to the foregoing, REDI agrees to:

(i) Summarize the Strategic Initiatives and Work Plan in a presentation to the Mayor and Council annually during the first quarter of the fiscal year; and

(ii) Grant the City the right to examine REDI's financial records and books at the City's request.

#### 4.2 Covenants of the City

During the term of this Agreement, the City agrees to use its reasonable best efforts to support REDI, including, but not limited to, taking such actions as the sole member of REDI as may be necessary for the efficient operations of REDI, and providing such City resources as may reasonably be required or advisable, in the City's sole discretion, for REDI to accomplish its goals and missions.

The administrator of this Agreement is:  
 Craig Simoneau, Acting City Manager  
 111 Maryland Avenue, Rockville, MD 20850  
 240-314-8102

The administrator of the Agreement will receive, and upon completion of a satisfactory review, forward requests for payment to the Department of Finance, participate in budget discussions, and approve and distribute the documents described in Section 4.1 of this Agreement. The administrator, or his designee, will serve as a member of the REDI Board of Directors and shall attend Board of Directors' meetings on behalf of the City. The Mayor and Council shall also appoint one of its members to serve as liaison to REDI and as a member of the REDI Board of Directors.

### ARTICLE V TERMINATION AND AMENDMENT

#### 5.1 Termination

This Agreement may be terminated with sixty days notice:

- (a) By mutual consent of the City and REDI;
- (b) By the City at any time upon written notice to REDI; or
- (c) By REDI if the City does not make any payment contemplated by Section 1.2.

## 5.2 Amendment

Subject to compliance with applicable law, this Agreement may be amended by the parties hereto, by action taken or authorized, as to the City, by the Mayor and Council, and as to REDI, by its Board of Directors. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

## ARTICLE VI GENERAL PROVISIONS

### 6.1 Expenses

All costs and expenses incurred in connection with this Agreement shall be paid by the party incurring such expense.

### 6.2 Indemnification

REDI agrees to indemnify and hold harmless, the City, its agents, successor, and assigns, from any and all claims, demands, actions, causes of action, damages, expenses, liabilities, and attorney's fees, arising in any way from REDI's activities and the actions or inaction of REDI's agents or employees. Within the limits of the City's scope of insurance coverage, and the limitations and immunities provided by law, including but not limited to the Local Government Tort Claims Act, Section 5-303 (a), Courts & Judicial Proceedings Article, Annotated Code of Maryland, the City shall be responsible for claims of liability, loss, or damage arising from its direct negligence or willful misconduct, excepting however such claims or damages as may be attributable in whole or in part to the negligence of REDI, its agents, employees, servants, or contractors. Nothing in this Agreement shall be construed as a promise or agreement by the City to indemnify REDI for any claims of liability, loss or damage arising from negligence or willful misconduct by REDI, or its agents.

### 6.3 Insurance

Prior to the execution of the contract by the City, REDI must obtain at their own cost and expense and keep in force and effect during the term of the contract including all extensions, the following insurance with an insurance company/companies licensed to do business in the State of Maryland evidenced by a certificate of insurance and/or copies of the insurance policies. REDI's insurance shall be primary.



REDI must submit to the administrator, 111 Maryland Avenue, Rockville, MD 20850 a certificate of insurance prior to the start of any work. In no event may the insurance coverage be less than shown below.

#### MANDATORY REQUIREMENTS FOR INSURANCE

REDI's insurance coverage shall be primary insurance as respects the City, its elected and appointed officials, officers, consultants, agents and employees and any insurance or self-insurance maintained by the City, shall be excess of the REDI's insurance and shall not be called upon to contribute with it.

Type of Insurance	Amounts of Insurance	Endorsements and Provisions
Workers' Compensation	<p>Bodily Injury by Accident: \$100,000 each accident</p> <p>Bodily Injury by Disease: \$500,000 policy limits</p> <p>Bodily Injury by Disease: \$100,000 each employee</p>	Waiver of Subrogation: WC 00 03 13 Waiver of Our Rights to Recover From Others Endorsement – signed and dated.
<p>Commercial General Liability</p> <p>Bodily Injury Property Damage Contractual Liability Premise/Operations Independent Contractors Products/Completed Operations Personal Injury</p>	<p>Each Occurrence: \$1,000,000</p> <p>Aggregate: \$2,000,000</p>	<p>City to be listed as additional insured and provided 30 day notice of cancellation or material change in coverage. CG 20 37 07 04 and CG 20 10 07 04 forms to be both signed and dated.</p>

Alternative and/or additional insurance requirements, when outlined under the special provisions of this contract, shall take precedence over the above requirements in part or in full as described therein.

### **POLICY CANCELLATION**

No change, cancellation or non-renewed shall be made in any insurance coverage without a thirty (30) day written notice to the administrator. REDI shall furnish a new certificate prior to any change or cancellation date. The failure of REDI to deliver a new and valid certificate will result in suspension of all payments and cessation of work activities until a new certificate is furnished.

### **ADDITIONAL INSURED**

The Mayor and Council of Rockville, which include its elected and appointed officials, officers, consultants, agents and employees must be named as an additional insured on REDI's Commercial General Liability Insurance for liability arising out of REDI's products, goods, and services provided under this contract. Additionally, The Mayor and Council of Rockville must be named as additional insured on REDI's General Liability Policies. Endorsements reflecting the Mayor and Council of Rockville as an additional insured are required to be submitted with the insurance certificate.

### **SUBCONTRACTORS**

All subcontractors shall meet the requirements of this Section before commencing work. In addition, subcontractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

### **CERTIFICATE HOLDER**

The Mayor and Council of Rockville  
111 Maryland Avenue  
Rockville, MD 20850

## **6.4 Notices**

All notices and other communications hereunder shall be in writing and shall be deemed given if delivered personally, telecopied (with confirmation), mailed by registered or certified mail (return receipt requested) or delivered by an express courier (with confirmation) to the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

(a) If to REDI:

Rockville Economic Development, Inc.  
51 Monroe Street PE-20  
Rockville, MD 20850  
Attn: Chairperson

(b) If to the City: City of

Rockville  
111 Maryland Avenue  
Rockville, MD 20850  
Attn: Mayor

#### 6.5 Entire Agreement; Governing Law; Venue

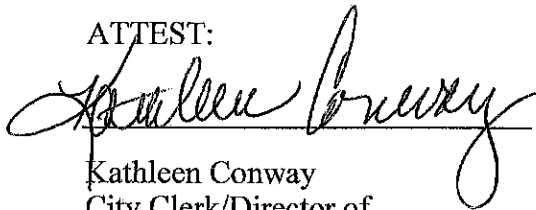
This constitutes the entire Agreement with respect to the subject matter hereof. This Agreement shall be governed and construed in accordance with the laws of the State of Maryland, without regard to any applicable conflicts of law. Venue for any litigation related to this Agreement shall be in courts of competent jurisdiction located in Montgomery County, Maryland.

#### 6.6 Assignment; Limitation of Benefits

Neither this Agreement nor any of the rights, interests or obligation hereunder shall be assigned by any of the parties hereto (whether by operation of law or otherwise) without the prior written consent of the other parties.

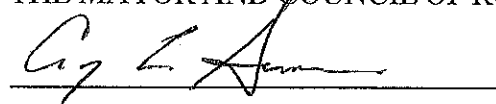
IN WITNESS WHEREOF, the parties hereto set their hands and seals the day and year first written above.

ATTEST:



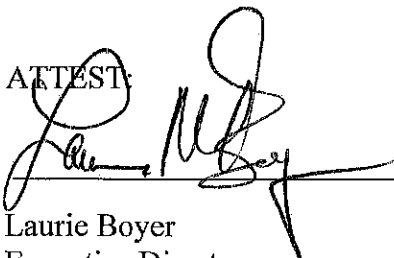
Kathleen Conway  
City Clerk/Director of  
Council Operations  
City of Rockville

THE MAYOR AND COUNCIL OF ROCKVILLE



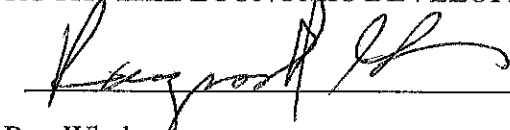
Craig Simoneau  
Acting City Manager  
City of Rockville

ATTEST:



Laurie Boyer  
Executive Director  
REDI

ROCKVILLE ECONOMIC DEVELOPMENT INC



Ray Whalen  
Chairperson  
REDI Board of Directors

# CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)  
 07/06/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Business Insurance Solutions, Inc. 13501 Wagon Way Silver Spring, MD. 20906	<b>CONTACT NAME:</b> Judy Roberson / Steve Roberson / Estuardo Cuque <b>PHONE (A/C, No, Ext):</b> (301) 962-0130 <b>FAX (A/C, No):</b> (301) 962-6524 <b>E-MAIL ADDRESS:</b> steve@tbisi.com / judy@tbisi.com / estuardo@tbisi.com														
<b>INSURED</b> Rockville Economic Development, Inc. 95 Monroe St Rockville, MD. 20850	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td><b>INSURER A:</b> ACE Fire Underwriters Insurance Company</td> <td></td> </tr> <tr> <td><b>INSURER B:</b> The Hartford</td> <td></td> </tr> <tr> <td><b>INSURER C:</b></td> <td></td> </tr> <tr> <td><b>INSURER D:</b></td> <td></td> </tr> <tr> <td><b>INSURER E:</b></td> <td></td> </tr> <tr> <td><b>INSURER F:</b></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	<b>INSURER A:</b> ACE Fire Underwriters Insurance Company		<b>INSURER B:</b> The Hartford		<b>INSURER C:</b>		<b>INSURER D:</b>		<b>INSURER E:</b>		<b>INSURER F:</b>	
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<b>INSURER D:</b>															
<b>INSURER E:</b>															
<b>INSURER F:</b>															

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	x		42 SBA BU7814	07/01/2016	07/01/2017	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000						
	MED EXP (Any one person) \$ 10,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	x		42 SBA BU7814	7/01/2016	7/01/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$						
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		42 WEG IO6766	7/01/2016	7/01/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.I. EACH ACCIDENT \$ 100,000 E.I. DISEASE - EA EMPLOYEE \$ 100,000 E.I. DISEASE - POLICY LIMIT \$ 500,000
A	EPLI Directors & Officers (D&O)			NFPMDG280760102	02/05/2016	02/05/2017	EPLI Limit 1,000,000 D&O Limit 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

Mayor and Council of the City of Rockville 111 Maryland Avenue  Rockville, MD 20850	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <sup>&lt;SR&gt;</sup>
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# FIRST AMENDMENT TO AGREEMENT BETWEEN ROCKVILLE ECONOMIC DEVELOPMENT, INC., AND THE MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE

This First Amendment is entered into this 10 day of September, 2018, by and between Rockville Economic Development, Inc., hereinafter referred to as "REDI," and the Mayor and Council of the City of Rockville, a municipal corporation of the State of Maryland hereinafter referred to as "the City", and

WITNESSETH:

WHEREAS, the City and REDI entered into an agreement dated July 1, 2016, hereinafter referred to as "the Agreement," whereby the City funded the operations of REDI for fiscal years, 2017, 2018 and 2019 in accordance with the terms of the Agreement, in the amount of \$556,770.00 for each fiscal year, subject to appropriation by the City; and

WHEREAS, the purpose of this First Amendment is to increase the agreement amount for fiscal year 2019 by up to \$25,000.00 to assist with expenses in the recruitment of a new Executive Director.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The Agreement amount is hereby increased by up to \$25,000, from \$556,770.00 to \$581,770.00 for fiscal year 2019. Payment of the additional funds shall be made as follows:
  - a. Upon execution of this First Amendment to Agreement, the City will transfer \$22,050 to REDI for the cost of a recruiting firm.
  - b. Following candidate interviews and upon submittal by REDI to the City of documentation on eligible travel expenses for those candidates, the City will transfer up to \$2,950.00 to cover the travel expenses.
2. Except as otherwise set forth in this First Amendment, all terms and conditions of the original Agreement dated July 1, 2016, shall remain in full force and effect.

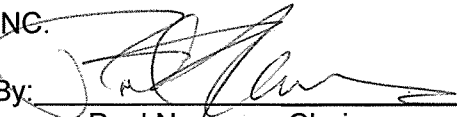
IN WITNESS WHEREOF, the parties have set their hands and seals hereto on the date written above.

ATTEST:

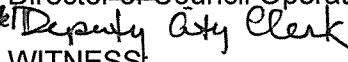
THE MAYOR AND COUNCIL OF  
ROCKVILLE

By:   
Robert DiSpirito City Manager

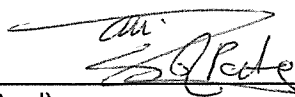
ROCKVILLE ECONOMIC DEVELOPMENT,  
INC.

By:   
Paul Newman, Chairperson

  
Kathleen Conway, City Clerk/  
Director of Council Operations

  
Sara Taylor-Ford, Deputy City Clerk

WITNESS:

  
(Seal)

## SECOND AMENDMENT TO AGREEMENT BETWEEN ROCKVILLE ECONOMIC DEVELOPMENT, INC., AND THE MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE

This Second Amendment to the Agreement Between Rockville Economic Development Inc. and the Mayor and Council of the City of Rockville (the "Second Agreement") is entered into this 28<sup>th</sup> day of November, 2018, by and between Rockville Economic Development, Inc., hereinafter referred to as "REDI," and the Mayor and Council of the City of Rockville, a municipal corporation of the State of Maryland, hereinafter referred to as the "City."

### WITNESSETH:

WHEREAS, the City and REDI entered into an agreement dated July 1, 2016, hereinafter referred to as the "Agreement," whereby the City funded the operations of REDI for fiscal years, 2017, 2018 and 2019 in accordance with the terms of the Agreement, in the amount of \$556,770.00 for each fiscal year, subject to appropriation by the City; and

WHEREAS, the Mayor and Council of the City of Rockville approved the First Amendment to the Agreement to increase the agreement amount for fiscal year 2019 by up to \$25,000.00, from \$556,770 to \$581,770, to assist with expenses in the recruitment of a new Executive Director; and

WHEREAS, the purpose of this Second Amendment is to increase the Agreement amount for fiscal year 2019 by an additional \$430,000.00 for the purpose of funding REDI's Rockville Small Business Impact Fund pilot program.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The Agreement amount is hereby increased by \$430,000.00 (the "Additional Funding") from \$581,770.00 to \$1,011,770.00 for fiscal year 2019. The City will transfer payment of the Additional Funding upon execution of this Second Amendment.
2. The Additional Funding must be used solely for the Rockville Small Business Impact Fund pilot program. The Rockville Small Business Fund pilot program must be administered in general conformance with the Pilot Program Draft Guidelines (the "Draft Guidelines"). The Draft Guidelines are attached to this Second Amendment as Exhibit A and are made a part hereof.
3. Except as otherwise set forth in the First Amendment and this Second Amendment, all terms and conditions of the original Agreement dated July 1, 2016, shall remain in full force and effect.

[signature page follows]



**IN WITNESS WHEREOF**, the parties have set their hands and seals hereto on the date written above.

ATTEST:

THE MAYOR AND COUNCIL OF THE CITY  
OF THE ROCKVILLE, PROPERLY  
KNOWN AS THE MAYOR AND COUNCIL  
OF ROCKVILLE


  
Sara Taylor-Ferrell, City Clerk/  
Director of Council Operations

By:

  
Robert DiSpirito, City Manager

WITNESS:

ROCKVILLE ECONOMIC DEVELOPMENT,  
INC.

  
(Seal)

By:

  
Paul Newman, Chairperson



## Rockville Small Business Impact Fund

### Pilot Program Draft Guidelines

November 7, 2018

#### Program Goals

The Rockville Small Business Impact Fund ("Impact Fund") is designed to promote inclusive economic development of existing and new businesses in the Performance Districts of the City of Rockville. The first year "Pilot Program" will support private-sector solutions to community challenges through a combination of grants and loans.

During the pilot year, the Impact Fund will focus on stabilizing the Town Center Performance District. The Impact Fund may be expanded to the Twinbrook Metro Performance District, the Stonestreet Corridor, and other areas within the city in the future.

The Impact Fund is part of the strategy to foster economic vitality in and around the Rockville town center, retaining and creating new jobs, retaining and expanding key business uses and services, encouraging positive social impact, and supporting business-to-community engagement that aligns with the strategic goals of the City for the Town Center Performance District.

#### Program Funding

The Impact Fund will be initially funded by the City of Rockville with a first-year appropriation of up to \$430,000. During the Pilot Program, REDI will adopt procedures related to the administration, application, processing, and terms and conditions of program grant and loan requests. REDI will track and report on its investments and program administration costs, and make programming and financing recommendations to the Mayor and Council in its requests for appropriations in subsequent years. REDI may accept additional outside funding to supplement initial capital provided by the City.

#### Eligibility and Investment Criteria

##### 1. Area Criteria (Pilot Program)

During the pilot year, projects must be located within the boundaries of the Town Center Performance District in the City of Rockville.

##### 2. Type of Business

A qualifying small business is defined as one with fewer than 100 employees and annual receipts of less than \$10M with a physical location within the Town Center Performance



District. Eligible businesses are for-profit enterprises with employees and are defined to include retail and wholesale trades, service enterprises, commercial and industrial businesses, advanced technology concerns, and manufacturing firms.

Applicants must satisfy the conflict of interest and any other requirements established by REDI and the funding sources.

Applicants, including the business entity and its principals, must not be delinquent or in default on federal, state or local taxes, or any existing private or publicly financed loan.

### 3. Investment Criteria

In addition to the threshold size, geographic and eligibility requirements, the Impact Fund will only support a for-profit enterprise if it also:

- A. Implements a triple-bottom line approach to its business model; or
- B. Is a certified B-corporation; or
- C. Commits to strengthening the local supply chain; or
- D. Commits to hiring hard-to-place Rockville residents; or
- E. Presents a compelling or strategic economic reason to receive a public investment.

During the pilot year, grants and loans shall be performance based with claw-back provisions.

### 4. Eligible Uses of Funds

- A. Working capital for sales growth, including primarily accounts receivable, inventory, rent, job training, and marketing.
- B. Business counseling and analysis.
- C. Machinery and equipment, including acquisition, delivery and installation, limited to items directly related to the operation of the business.
- D. Leasehold improvements, including sign and façade renovations.

Proceeds may not be used for: start-up capital, refinancing of existing debts (including leveraged buy-outs); purchasing real estate; or distributions or payment to the owners, partners, shareholders, or beneficiaries of the applicant and members of their families.

### Evaluation Criteria

#### A. Business Evaluation

The historical performance of the business, if applicable, and the proposed owners will be evaluated to assess the ability to achieve the performance criteria for grants and performance loans and the ability to repay the loan for revolving loans. REDI evaluates criteria utilizing standard commercial credit: cash flow, capital, collateral, character and credit.

Specifically, the evaluation will include:

1. Financial performance of the business.

2. Financial performance of the owners.
3. Market performance.
4. Management Ability.
5. Business and personal credit.
6. Public records review.

#### B. Project Evaluation

The merits of the proposed use of funds will be assessed. Specifically, this evaluation will include:

1. Project Income and Expenses.
2. Projected Financial Statements
3. Value of Assets and Collateral
4. Changes in Market Strategy and/or Management Strategy

#### C. Public Benefit Evaluation

Applications will be evaluated based on additional criteria measuring public benefits. Including specifically:

1. Feasibility.
2. Nature of jobs created and/or retained.
3. Percentage of jobs going to hard-to-place Rockville residents.
4. Projected tax revenues
5. Community engagement and support.
6. Impact on the neighborhood and quality of life.
7. Support of locally-made products and local food chain.

#### Awards

Awards will be selected at the sole discretion of REDI. REDI will create an Impact Fund Selection Committee with representation from the REDI staff and Board of Directors, and alternates from the lending establishment and business community.

#### Further Study

As part of the Pilot Year, REDI will also evaluate the operating resources necessary to offer loans as part of the Impact Fund. REDI will also seek input on alternative metrics to evaluate the efficacy of the Impact Fund and appropriate funding levels.



# THIRD AMENDMENT TO AGREEMENT BETWEEN ROCKVILLE ECONOMIC DEVELOPMENT, INC., AND THE MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE

This Third Amendment to the Agreement Between Rockville Economic Development Inc. and the Mayor and Council of the City of Rockville (the "Third Amendment") is entered into this 23 day of September, 2019, by and between Rockville Economic Development, Inc., hereinafter referred to as "REDI," and the Mayor and Council of the City of Rockville, a municipal corporation of the State of Maryland, hereinafter referred to as "the City."

## WITNESSETH:

WHEREAS, the City and REDI entered into an agreement dated July 1, 2016, hereinafter referred to as "the Agreement," whereby the City funded the operations of REDI for fiscal years, 2017, 2018 and 2019 in accordance with the terms of the Agreement, in the amount of \$556,770.00 for each fiscal year, subject to appropriation by the City; and

WHEREAS, the Mayor and Council of the City of Rockville approved the First Amendment to the Agreement to increase the agreement amount for fiscal year 2019 by up to \$25,000.00, from \$556,770.00 to \$581,770.00, to assist with expenses in the recruitment of a new Executive Director; and

WHEREAS, the Mayor and Council of the City of Rockville approved the Second Amendment to the Agreement to increase the Agreement amount for fiscal year 2019 by \$430,000.00, from \$581,770.00 to \$1,011,770.00, for the purpose of funding REDI's Rockville Small Business Impact Fund pilot program; and

WHEREAS, the purpose of this Third Amendment is to extend the term of the current Agreement from June 30, 2019 to September 30, 2019.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The term of the Agreement is hereby extended to September 30, 2019.
2. Except as otherwise set forth in the First Amendment, Second Amendment and this Third Amendment, all terms and conditions of the original Agreement dated July 1, 2016, shall remain in full force and effect.


[signature page follows]

**IN WITNESS WHEREOF**, the parties have set their hands and seals hereto on the date written above.

ATTEST:

  
 Sara Taylor-Ferrell, City Clerk/  
 Director of Council Operations

THE MAYOR AND COUNCIL OF THE CITY  
 OF ROCKVILLE, PROPERLY KNOWN AS  
 THE MAYOR AND COUNCIL OF  
 ROCKVILLE

By:   
 Robert DiSpirito, City Manager

WITNESS:

(Seal)

ROCKVILLE ECONOMIC DEVELOPMENT,  
 INC.

By:   
 Paul Newman, Chairperson 

## FOURTH AMENDMENT TO AGREEMENT BETWEEN ROCKVILLE ECONOMIC DEVELOPMENT, INC., AND THE MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE

This Fourth Amendment to the Agreement Between Rockville Economic Development, Inc. and the Mayor and Council of the City of Rockville (the "Fourth Amendment") is entered into this 23 day of September, 2019, by and between Rockville Economic Development, Inc., hereinafter referred to as "REDI," and the Mayor and Council of the City of Rockville, a municipal corporation of the State of Maryland, hereinafter referred to as "the City."

### WITNESSETH:

WHEREAS, the City and REDI entered into an agreement dated July 1, 2016, hereinafter referred to as "the Agreement," whereby the City funded the operations of REDI for fiscal years, 2017, 2018 and 2019 in accordance with the terms of the Agreement, in the amount of \$556,770.00 for each fiscal year, subject to appropriation by the City; and

WHEREAS, the Mayor and Council of the City of Rockville approved the First Amendment to the Agreement to increase the agreement amount for fiscal year 2019 by up to \$25,000.00, from \$556,770.00 to \$581,770.00, to assist with expenses in the recruitment of a new Executive Director; and

WHEREAS, the Mayor and Council of the City of Rockville approved the Second Amendment to the Agreement to increase the Agreement amount for fiscal year 2019 by \$430,000.00, from \$581,770.00 to \$1,011,770.00, for the purpose of funding REDI's Rockville Small Business Impact Fund pilot program; and

WHEREAS, the Mayor and Council of the City of Rockville approved the Third Amendment to the Agreement to extend the term of the Agreement from June 30, 2019 to September 30, 2019; and

WHEREAS, the purpose of this Fourth Amendment is to extend the term of the Agreement from September 30, 2019 to June 30, 2020; and

WHEREAS, the FY20 Adopted Budget includes \$1,119,860 to fund REDI operations through June 30, 2020.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The term of the Agreement is hereby extended to June 30, 2020.
2. Except as otherwise set forth in the First Amendment, Second Amendment, Third Amendment and this Fourth Amendment, all terms and conditions of the original Agreement dated July 1, 2016, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have set their hands and seals hereto on the date written above.


[signature page follows]



ATTEST:

  
 Sara Taylor-Ferrell, City Clerk/  
 Director of Council Operations

THE MAYOR AND COUNCIL OF THE CITY  
 OF ROCKVILLE, PROPERLY KNOWN AS  
 THE MAYOR AND COUNCIL OF  
 ROCKVILLE

By:   
 Robert DiSpirito, City Manager

WITNESS:

\_\_\_\_\_  
 (Seal)

ROCKVILLE ECONOMIC DEVELOPMENT,  
 INC.

By:   
 Paul Newman, Chairperson 

## **FIFTH AMENDMENT TO AGREEMENT BETWEEN ROCKVILLE ECONOMIC DEVELOPMENT, INC., AND THE MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE**

This Fifth Amendment to the Agreement Between Rockville Economic Development, Inc. and the Mayor and Council of the City of Rockville (the "Fifth Amendment") is entered into this 18th day of June, 2020, by and between Rockville Economic Development, Inc., hereinafter referred to as "REDI," and the Mayor and Council of the City of Rockville, a municipal corporation of the State of Maryland, hereinafter referred to as "the City."

### **WITNESSETH:**

WHEREAS, the City and REDI entered into an agreement dated July 1, 2016, hereinafter referred to as "the Agreement," whereby the City funded the operations of REDI for fiscal years, 2017, 2018 and 2019 in accordance with the terms of the Agreement, in the amount of \$556,770.00 for each fiscal year, subject to appropriation by the City; and

WHEREAS, the Mayor and Council of the City of Rockville approved the First Amendment to the Agreement to increase the Agreement amount for fiscal year 2019 by up to \$25,000.00, from \$556,770.00 to \$581,770.00, to assist with expenses in the recruitment of a new Executive Director; and

WHEREAS, the Mayor and Council of the City of Rockville approved the Second Amendment to the Agreement to increase the Agreement amount for fiscal year 2019 by \$430,000.00, from \$581,770.00 to \$1,011,770.00, for the purpose of funding REDI's Rockville Small Business Impact Fund pilot program; and

WHEREAS, the Mayor and Council of the City of Rockville approved the Third Amendment to the Agreement to extend the term of the Agreement from June 30, 2019 to September 30, 2019; and

WHEREAS, the Mayor and Council of the City of Rockville approved the Fourth Amendment to extend the term of the Agreement from September 30, 2019 to June 30, 2020; and

WHEREAS, the purpose of this Fifth Amendment is to extend the term of the Agreement from July 1, 2020 to December 31, 2020; and

WHEREAS, the FY21 Adopted Budget includes \$1,279,860 to fund REDI operations and programs through June 30, 2021.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The term of the Agreement is hereby extended to December 31, 2020.
2. Except as otherwise set forth in the First Amendment, Second Amendment, Third Amendment, Fourth Amendment and this Fifth Amendment, all terms and conditions of the original Agreement dated July 1, 2016, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have set their hands and seals hereto on the date written above.

ATTEST:

THE MAYOR AND COUNCIL OF THE CITY  
OF ROCKVILLE, PROPERLY KNOWN AS  
THE MAYOR AND COUNCIL OF  
ROCKVILLE

Sara Taylor-Ferrell  
Sara Taylor-Ferrell, City Clerk/  
Director of Council Operations

By: Rob DiSpirito  
Robert DiSpirito, City Manager

WITNESS:

ROCKVILLE ECONOMIC DEVELOPMENT,  
INC.

\_\_\_\_\_

By: Paul Newman  
Paul Newman, Chairperson

**DRAFT**

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AGREEMENT BY AND BETWEEN ROCKVILLE  
ECONOMIC DEVELOPMENT, INC. AND  
THE MAYOR AND COUNCIL OF THE  
CITY OF ROCKVILLE, MARYLAND

~~January~~ ~~uly~~ 1,  
~~2016~~ 2021 ~~19~~

## AGREEMENT

This AGREEMENT, made this       day of ~~July~~December, 2016~~2020~~19, by and between the MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE, MARYLAND, hereinafter referred to as the “City,” and ROCKVILLE ECONOMIC DEVELOPMENT, INC., a Maryland non-stock corporation, hereinafter referred to as “REDI.”

WHEREAS, REDI has been organized by the City for the purposes set forth in ~~REDI’s Articles of Incorporation; and~~  
REDI’s Articles of Incorporation, to -promote economic development in Rockville and to serve as an advisor and consultant to the Mayor and Council and to City staff on economic development matters, and as an independent resource for the Rockville business community; and

WHEREAS, the City is the sole member of REDI; and

WHEREAS, the City has determined to fund the operations of REDI, upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein, and intending to be legally bound hereby, the parties agree as follows:

### ARTICLE I TERM, FUNDS, AND PAYMENTS

#### 1.1 Term

The term of the Agreement will commence on ~~January 1, 2021~~the date hereof, and will expire ~~on June 30, 2024, three (3) years from the date hereof.~~

#### 1.2 Funds and Payments

Subject to the terms and conditions of this Agreement and annual funding by the Mayor and Council, the City will pay ~~the sum of \$556,770 to REDI for its work to be completed pursuant to this Agreement during FY 2017. The the period FY 20210 – FY 20242. As of the date hereof, the Mayor and City will pay amounts subject to available appropriations~~Council have adopted a budget for FY 2018 and FY 2019, 20210 that includes a base operating budget for REDI. The parties acknowledge that the base operating budget may need to be adjusted year to year for inflation and program changes, as is typically done for City department budget allocations.

By October 15 of each year, REDI will submit to the City Manager a budget request and spending plan for the following fiscal year identifying how REDI proposes to spend the City funds





## THE CITY OF ROCKVILLE, MARYLAND

The City hereby represents and warrants to REDI as follows, it being understood that such representations and warranties are being relied upon by REDI as a material inducement to enter into and perform this Agreement. The City has full power and authority to execute and deliver this Agreement. This Agreement has been duly and validly approved by the Mayor and Council of the City, and no other approvals or proceedings by or on behalf of the City are necessary for the City to perform its obligations under this Agreement. This Agreement has been duly and validly executed and delivered by the City and (assuming due authorization, execution and delivery by REDI) will constitute valid and binding obligations of the City, enforceable against the City in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a court of law or a court of equity and by bankruptcy, insolvency and similar law affecting creditors' rights and remedies generally.

### ARTICLE IV COVENANTS RELATING TO CONDUCT OF BUSINESS

#### 4.1 Covenants of REDI

1. Operational Covenants: During the term of this Agreement, and for so long as the City makes the payments contemplated by Section 1.2 hereof, ~~REDI agrees to use the Funds exclusively to further REDI's efforts to accomplish its goals and mission, including and funds are available, REDI agrees to use the Funds exclusively to:~~ seek to establish the City as a leading center for economic development, to endeavor to improve the tax base and create an environment attractive to businesses, residents, workers, and visitors in accordance with the Mayor and Council's policies and priorities. REDI will adopt a strategic plan that supports the Mayor and Council's policies and priorities with respect to economic development, which includes, but is not limited to REDI's efforts to:

~~(a) Seek to establish the City as a leading center for economic development while sustaining an equitable balance between commercial and residential segments of the City;~~

a. ~~(b)~~ Promote the retention and expansion of existing businesses in the City, including Fiscal Year 2017 implementation of the Business Expansion Fund;

b. ~~(c)~~ Encourage the formation of new business enterprises in the City and attract new businesses to the City, including Fiscal Year 2017 implementation of the Rockville MOVE Program and business attraction goals included in the Mayor and Council's 2016-2019 priority initiatives;

~~(d) Create, retain and attract jobs within the City;~~

c. ~~(e)~~ Market, administer, monitor, measure the success of, and report on

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incentive programs, which may include the Move and Business Expansion Incentives, as well as the Small Business Impact Fund incentives, provided the City approves funding for such incentive programs or REDI procures funds from other sources for such programs, provided that REDI shall have no obligation to procure additional funding.

d. Help cultivate an environment for businesses to create, retain and attract jobs within the City, which includes acting as a liaison to other agencies such as the Montgomery County Economic Development Corporation, Montgomery County, the Maryland Department of Commerce, BioHealth Innovation, local chambers of commerce, arts and culture organizations, and other agencies that support and promote local business growth and development;

e. Foster education and communication between the City's business community, the Mayor & Council, City staff, and the general public;

f. ~~(f)~~ Assemble, maintain and disseminate to appropriate brokers, site selectors, and business leaders/decisionmakers information on the City's business community, workforce and economic climate;

g. ~~(g)~~ Promote work force Assemble and disseminate information on available workforce for target industry sectors and facilitate connection between businesses and educational institutions to meet business workforce needs;

Support strategic real estate development and a positive business climate within the City;

h. ~~(h)~~ Provide economic development, marketing and organizational assistance for redevelopment of strategic business areas within the City, including the Town Center and the Rockville Pike corridor and including supporting the Mayor and Council's priority initiative to explore mechanisms projects and initiatives within the City, to encourage transit-oriented development, quality of life for residents and businesses, successful office and industrial projects and businesses, and neighborhood shopping center revitalization;

i. ~~(i)~~ Support small businesses and entrepreneurs through Small Business Administration (SBA) programs, such as the Maryland Women's Business Center, and promote resources available to small businesses and entrepreneurs;

j. As needed, hire experts and consultants to provide analysis and research on topics that support economic development efforts for the City;

k. Engage in such other activities, within the power and authority of REDI, as the Board of Directors of REDI reasonably ~~deems~~deem necessary to carry out the goals and mission of REDI, as determined from time to time;

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(k) ~~Assignments requested by the Mayor and Council that regularly fulfill the functions of Economic Development, such as participating with the City to develop monetary and non-monetary incentives to be used in coordinated efforts with Montgomery County and the State of Maryland to attract and retain businesses.~~

l. ~~(4) Undertake such Economic Development assignments as may be requested by the Mayor and Council from time to time; and~~

m. ~~Collaborate with City staff on City initiatives supportive of economic development.~~

2. Administrative Covenants. REDI agrees to submit the following to the ~~administrator of this Agreement~~ City Manager or designee:

a. ~~(i) A~~ In accordance with Article I above, by October 15 each year, a budget and spending plan, to include anticipated administrative and programmatic spending for the next fiscal year, which will begin on July 1 and end the following June 30;

b. By August 30 each year, a Strategic Initiatives and Work Plan submitted annually during the first quarter of the City's fiscal year which begins on July 1. The document, which will include goals, strategies, and actions for the current fiscal year. The Strategic Initiatives and Work Plan will also designate measures, both quantitative and qualitative, associated with each goal that REDI will use to assess success in completing the organization's strategic initiatives and work plan;

~~(ii) A~~ By August 30, a written report summarizing the operations and activities of REDI during the previous fiscal year submitted by August 30 of each year. The report, which will include data for the measures of performance defined in REDI's Strategic

c. Initiatives and Work Plan;

d. ~~(iii) A~~ By August 30 of each year, an annual financial statement submitted by August 30 of each year; and

e. ~~(iv) A~~ By August 30 of each year, a copy of REDI's annual audit.

~~(m) In addition to the foregoing,~~ 3. Communication Covenants. REDI agrees to:

~~(i) Summarize the Strategic Initiatives and Work Plan in~~ Make presentations at Mayor and Council meetings at least twice a presentation year to update the

a. Mayor and Council annually during and the public on REDI's activities and the first quarter progress of the fiscal year; and REDI's strategic initiatives;

b. ~~(ii) Grant~~ Make presentations to the Mayor & Council as requested on various topics of

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Economic Development:

- c. Participate in an Annual joint meeting of the REDI Board of Directors and the City Mayor and Council;
- d. Meet, at least quarterly, individually with the City Mayor and Council members to examine REDI's financial records and books at the provide updates on REDI activities and to solicit feedback on REDI efforts and activities.

City's request:

#### 4.2 Covenants of the City

During the term of this Agreement, the City agrees to use its reasonable best efforts to support REDI, including, but not limited to, taking such actions as the sole member of REDI as may be necessary for the efficient operations of REDI, and providing such City resources as may reasonably be required or advisable, in the City's sole discretion, for REDI to accomplish its goals and missions.

The administrator of this Agreement is:

Craig Simoneau, Acting Robert DiSpirito,

City Manager

111 Maryland Avenue, Rockville, MD 20850

240-314-8102

The ~~administrator of the Agreement~~ City Manager or designee will receive, and, upon completion of a satisfactory review, forward requests for payment to the Department of Finance, participate in budget discussions, and approve and distribute the documents described in Section 4.1 of this Agreement. The ~~administrator~~ City Manager, or his or her designee, will serve as a member of the REDI Board of Directors and shall attend Board of Directors' meetings on behalf of the City. The Mayor and Council shall also appoint one of its members to serve as liaison to REDI and as a member of the REDI Board of Directors.

In addition, the Mayor will be reasonably available to serve as a representative for the City when requested to attend key meetings with business and community leaders where attendance by the Mayor would be good protocol and demonstrate strong support of the City for the success of the Rockville business community.

The Mayor and Council will hold an annual meeting with the REDI Board of Directors in order for the organizations to share direction, goals, and initiatives.

#### ARTICLE V

#### TERMINATION AND AMENDMENT

##### 5.1 Termination

1. This Agreement may be terminated ~~with sixty days notice for~~ convenience:

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(a) ~~By~~ At any time upon mutual consent of the City and REDI; and

(b) ~~By~~ Upon six (6) months' notice by the City at any time upon written to REDI.

2. This Agreement may be terminated for cause upon sixty days' notice ~~to~~ and failure to cure by either the City or REDI, which includes the City's failure to make payment as set forth in Article I above.  
~~REDI; or~~  
 (c) ~~By REDI if the City does not make any payment contemplated by Section 1.2.~~

## 5.2 Amendment

Subject to compliance with applicable law, this Agreement may be amended by the parties hereto, by action taken or authorized, as to the City, by the Mayor and Council, and as to REDI, by its Board of Directors. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

## ARTICLE VI GENERAL PROVISIONS

### 6.1 Expenses

All costs and expenses incurred in connection with this Agreement shall be paid by the party incurring such expense.

### 6.2 Indemnification

REDI agrees to indemnify and hold harmless, the City, its agents, successor, and assigns, from any and all claims, demands, actions, causes of action, damages, expenses, liabilities, and attorney's fees, arising in any way from REDI's activities and the actions or inaction of REDI's agents or employees. Within the limits of the City's scope of insurance coverage, and the limitations and immunities provided by law, including but not limited to the Local Government Tort Claims Act, Section 5-303 (a), Courts & Judicial Proceedings Article, Annotated Code of Maryland, the City shall be responsible for claims of liability, loss, or damage arising from its direct negligence or willful misconduct, excepting however such claims or damages as may be attributable in whole or in part to

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the negligence of REDI, its agents, employees, servants, or contractors. Nothing in this Agreement shall be construed as a promise or agreement by the City to indemnify REDI for any claims of liability, loss or damage arising from negligence or willful misconduct by REDI, or its agents.

### 6.3 Insurance

Prior to the execution of the contract by the City, REDI must obtain at their own cost and expense and keep in force and effect during the term of the contract including all extensions, the following insurance with an insurance company/companies licensed to do business in the State of Maryland evidenced by a certificate of insurance and/or copies of the insurance policies. REDI's insurance shall be primary.

REDI must submit to the ~~administrator~~City Manager or designee, 111 Maryland Avenue, Rockville, MD 20850, a certificate of insurance evidencing required insurance coverage prior to ~~the start~~expiration of ~~any work~~existing policies. In no event may the insurance coverage be less than shown below.

#### MANDATORY REQUIREMENTS FOR INSURANCE

REDI's insurance coverage shall be primary insurance as respects the City, its elected and appointed officials, officers, consultants, agents and employees and any insurance or self-insurance maintained by the City, shall be excess of the REDI's insurance and shall not be called upon to contribute with it.

Type of Insurance	Amounts of Insurance	Endorsements and Provisions
<b>1. <del>Workers'</del> Compensation</b>  <b>2. <del>Employers' Liability</del></b>	Bodily Injury by Accident: \$100,000 each accident  Bodily Injury by Disease: \$500,000 policy limits  Bodily Injury by Disease: \$100,000 each employee	Waiver of Subrogation: <i>WC 00 03 13 Waiver of Our Rights to Recover From Others Endorsement – signed and dated.</i>
<b>3. Commercial General Liability</b>  a. Bodily Injury b. Property Damage c. Contractual Liability d. Premise/Operations e. Independent Contractors f. Products/Completed Operations g. Personal Injury	Each Occurrence: \$1,000,000	City to be listed as additional insured and provided 30-day notice of cancellation or material change in coverage. <i>CG 20 37 07 04 and CG 20 10 07 04 forms to be both signed and dated.</i>



Alternative and/or additional insurance requirements, when outlined under the special provisions of this contract, shall take precedence over the above requirements in part or in full as described therein.

#### **POLICY CANCELLATION**

No change, cancellation or non-renewed shall be made in any insurance coverage without a thirty (30) day written notice to the ~~administrator~~ City. REDI shall furnish a new certificate prior to any change or cancellation date. The failure of REDI to deliver a new and valid certificate will result in suspension of all payments and cessation of work activities until a new certificate is furnished.

#### **ADDITIONAL INSURED**

The Mayor and Council of Rockville, which ~~include~~ includes its elected and appointed officials, officers, consultants, agents and employees must be named as an additional insured on REDI's Commercial General Liability Insurance for liability arising out of REDI's products, goods, and services provided under this contract. Additionally, The Mayor and Council of Rockville must be named as additional insured on REDI's General Liability Policies. Endorsements reflecting the Mayor and Council of Rockville as an additional insured are required to be submitted with the insurance certificate.

#### **SUBCONTRACTORS**

All subcontractors shall meet the requirements of this Section before commencing work. In addition, subcontractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

#### **CERTIFICATE HOLDER**

The Mayor and Council of Rockville  
111 Maryland Avenue  
Rockville, MD 20850

#### **6.4 Notices**

All notices and other communications hereunder shall be in writing and shall be deemed given if delivered personally, telecopied (with confirmation), mailed by registered or certified mail (return receipt requested) or delivered by an express courier (with confirmation) to the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

(a) If to REDI:

Rockville Economic Development, Inc.  
51 Monroe Street PE-20  
Rockville, MD 20850  
Attn: Chairperson

(b)-If to the City:

City of Rockville  
111 Maryland Avenue  
Rockville, MD 20850  
Attn: Mayor

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#### 6.5 Entire Agreement; Governing Law; Venue

This constitutes the entire Agreement with respect to the subject matter hereof. This Agreement shall be governed and construed in accordance with the laws of the State of Maryland, without regard to any applicable conflicts of law. Venue for any litigation related to this Agreement shall be in courts of competent jurisdiction located in Montgomery County, Maryland.

#### 6.6 Assignment; Limitation of Benefits

Neither this Agreement nor any of the rights, interests or obligation hereunder shall be assigned by any of the parties hereto (whether by operation of law or otherwise) without the prior written consent of the other parties.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the day and year first written above.

ATTEST:

THE MAYOR AND COUNCIL OF ROCKVILLE

Kathleen Conway

Craig Simoneau

Sara Taylor-Ferrell

Robert DiSpirito

City Clerk/Director of  
Council Operations  
City of Rockville

Acting City Manager  
City of Rockville

ATTEST:

ROCKVILLE ECONOMIC DEVELOPMENT INC

Laurie Boyer

Ray Whalen

Cynthia Stewart

Susan PrincePaul Newman

Chief Executive OfficerExecutive Director Chairperson

REDI

REDI Board of Directors

# DRAFT

AGREEMENT BY AND BETWEEN ROCKVILLE  
ECONOMIC DEVELOPMENT, INC. AND  
THE MAYOR AND COUNCIL OF THE  
CITY OF ROCKVILLE, MARYLAND

January 1, 2021

## AGREEMENT

This AGREEMENT, made this       day of December, 2020, by and between the MAYOR AND COUNCIL OF THE CITY OF ROCKVILLE, MARYLAND, hereinafter referred to as the “City,” and ROCKVILLE ECONOMIC DEVELOPMENT, INC., a Maryland non-stock corporation, hereinafter referred to as “REDI.”

WHEREAS, REDI has been organized by the City for the purposes set forth in REDI’s Articles of Incorporation, to promote economic development in Rockville and to serve as an advisor and consultant to the Mayor and Council and to City staff on economic development matters, and as an independent resource for the Rockville business community; and

WHEREAS, the City is the sole member of REDI; and

WHEREAS, the City has determined to fund the operations of REDI, upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein, and intending to be legally bound hereby, the parties agree as follows:

### ARTICLE I TERM, FUNDS, AND PAYMENTS

#### 1.1 Term

The term of the Agreement will commence on January 1, 2021 and will expire on June 30, 2024.

#### 1.2 Funds and Payments

Subject to the terms and conditions of this Agreement and annual funding by the Mayor and Council, the City will pay REDI for its work to be completed pursuant to this Agreement during the period FY 2021 – FY 2024. As of the date hereof, the Mayor and Council have adopted a budget for FY 2021 that includes a base operating budget for REDI. The parties acknowledge that the base operating budget may need to be adjusted year to year for inflation and program changes, as is typically done for City department budget allocations.

By October 15 of each year, REDI will submit to the City Manager a budget request and spending plan for the following fiscal year identifying how REDI proposes to spend the City funds to accomplish the work to be completed pursuant to this Agreement. The budget request shall be submitted on forms and according to instructions provided by the City. The City Manager will use the proposal and spending plan to determine the amount of funding to include in the

Proposed Budget to the Mayor and Council. The Mayor and Council will determine the amount of funding to include in the Adopted Budget.

Based on the amount of funds appropriated by the Mayor and Council each fiscal year, REDI will submit a request for payment and the City will pay REDI in two equal semi-annual installments in July and January of each fiscal year. The administrator of the Agreement will forward REDI's requests approved for payment to the Department of Finance. The Department of Finance will pay REDI by City check within 20 business days of receipt of each request for payment.

The City shall have the right, at the City's request and upon reasonable notification, to examine REDI's financial records and books at REDI's office.

## ARTICLE II REPRESENTATIONS AND WARRANTIES OF ROCKVILLE ECONOMIC DEVELOPMENT, INC.

REDI hereby represents and warrants to the City as follows, it being understood that such representations and warranties are being relied upon by the City as a material inducement to enter into and perform this Agreement. REDI is a non-stock corporation organized, validly existing and in good standing with the State of Maryland. REDI has no authorized capital stock. The sole member of REDI is the City. REDI has full corporate power and authority to execute and deliver this Agreement and to perform its obligations contemplated hereby.

The execution and delivery of this Agreement has been duly and validly approved by the Board of Directors of REDI and no other corporate proceedings on the part of REDI are necessary to approve this Agreement. This Agreement has been duly and validly executed and delivered by REDI and (assuming due authorization, execution and delivery by the City) will constitute valid and binding obligations of REDI, enforceable against REDI in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a court of law or a court of equity and by bankruptcy, insolvency and similar laws affecting creditors' rights and remedies generally.

## ARTICLE III REPRESENTATIONS AND WARRANTIES OF THE CITY OF ROCKVILLE, MARYLAND

The City hereby represents and warrants to REDI as follows, it being understood that such representations and warranties are being relied upon by REDI as a material inducement to enter into and perform this Agreement. The City has full power and authority to execute and deliver this Agreement. This Agreement has been duly and validly approved by the Mayor and Council of the City, and no other approvals or proceedings by or on behalf of the City are necessary for the City to perform its obligations under this Agreement. This Agreement has been duly and validly executed and delivered by the City and (assuming due authorization, execution and delivery by REDI) will constitute valid and



binding obligations of the City, enforceable against the City in accordance with its terms, except as enforcement may be limited by general principals of equity whether applied in a court of law or a court of equity and by bankruptcy, insolvency and similar law affecting creditors' rights and remedies generally.

#### ARTICLE IV COVENANTS RELATING TO CONDUCT OF BUSINESS

##### 4.1 Covenants of REDI

1. Operational Covenants: During the term of this Agreement, and for so long as the City makes the payments contemplated by Section 1.2 hereof and funds are available, REDI agrees to use the Funds exclusively to: seek to establish the City as a leading center for economic development, to endeavor to improve the tax base and create an environment attractive to businesses, residents, workers, and visitors in accordance with the Mayor and Council's policies and priorities. REDI will adopt a strategic plan that supports the Mayor and Council's policies and priorities with respect to economic development, which includes, but is not limited to REDI's efforts to:

- a. Promote the retention and expansion of existing businesses in the City;
- b. Encourage the formation of new business enterprises in the City and attract new businesses to the City;
- c. Market, administer, monitor, measure the success of, and report on incentive programs, which may include the Move and Business Expansion Incentives, as well as the Small Business Impact Fund incentives, provided the City approves funding for such incentive programs or REDI procures funds from other sources for such programs, provided that REDI shall have no obligation to procure additional funding.
- d. Help cultivate an environment for businesses to create, retain and attract jobs within the City, which includes acting as a liaison to other agencies such as the Montgomery County Economic Development Corporation, Montgomery County, the Maryland Department of Commerce, BioHealth Innovation, local chambers of commerce, arts and culture organizations, and other agencies that support and promote local business growth and development;
- e. Foster education and communication between the City's business community, the Mayor & Council, City staff, and the general public;
- f. Assemble, maintain and disseminate to appropriate brokers, site selectors, and business leaders/decisionmakers information on the City's business community, workforce and economic climate;
- g. Assemble and disseminate information on available workforce for target

industry sectors and facilitate connection between businesses and educational institutions to meet business workforce needs;

- h. Support strategic real estate development and redevelopment projects and initiatives within the City, to encourage transit-oriented development, quality of life for residents and businesses, successful office and industrial projects and businesses, and neighborhood shopping center revitalization;
- i. Support small businesses and entrepreneurs through Small Business Administration (SBA) programs, such as the Maryland Women's Business Center, and promote resources available to small businesses and entrepreneurs;
- j. As needed, hire experts and consultants to provide analysis and research on topics that support economic development efforts for the City;
- k. Engage in such other activities, within the power and authority of REDI, as the Board of Directors of REDI reasonably deem necessary to carry out the goals and mission of REDI, as determined from time to time;
- l. Undertake such Economic Development assignments as may be requested by the Mayor and Council from time to time; and
- m. Collaborate with City staff on City initiatives supportive of economic development.

2. Administrative Covenants. REDI agrees to submit the following to the City Manager or designee:

- a. In accordance with Article I above, by October 15 each year, a budget and spending plan, to include anticipated administrative and programmatic spending for the next fiscal year, which will begin on July 1 and end the following June 30;
- b. By August 30 each year, a Strategic Initiatives and Work Plan, which will include goals, strategies, and actions for the current fiscal year. The Strategic Initiatives and Work Plan will also designate measures, both quantitative and qualitative, associated with each goal that REDI will use to assess success in completing the organization's strategic initiatives and work plan;
- c. By August 30, a written report summarizing the operations and activities of REDI during the previous fiscal year, which will include data for the measures of performance defined in REDI's Strategic Initiatives and Work Plan;
- d. By August 30 of each year, an annual financial statement; and
- e. By August 30 of each year, a copy of REDI's annual audit.

### 3. Communication Covenants. REDI agrees to:

- a. Make presentations at Mayor and Council meetings at least twice a year to update the Mayor and Council and the public on REDI's activities and the progress of REDI's strategic initiatives;
- b. Make presentations to the Mayor & Council as requested on various topics of Economic Development;
- c. Participate in an Annual joint meeting of the REDI Board of Directors and the Mayor and Council;
- d. Meet, at least quarterly, individually with the Mayor and Councilmembers to provide updates on REDI activities and to solicit feedback on REDI efforts and activities.

#### 4.2 Covenants of the City

During the term of this Agreement, the City agrees to use its reasonable best efforts to support REDI, including, but not limited to, taking such actions as the sole member of REDI as may be necessary for the efficient operations of REDI, and providing such City resources as may reasonably be required or advisable, in the City's sole discretion, for REDI to accomplish its goals and missions.

The administrator of this Agreement is:  
 Robert DiSpirito, City Manager  
 111 Maryland Avenue, Rockville, MD 20850  
 240-314-8102

The City Manager or designee will receive and, upon completion of a satisfactory review, forward requests for payment to the Department of Finance, participate in budget discussions, and approve and distribute the documents described in Section 4.1 of this Agreement. The City Manager, or his or her designee, will serve as a member of the REDI Board of Directors and shall attend Board of Directors' meetings on behalf of the City. The Mayor and Council shall also appoint one of its members to serve as liaison to REDI and as a member of the REDI Board of Directors.

In addition, the Mayor will be reasonably available to serve as a representative for the City when requested to attend key meetings with business and community leaders where attendance by the Mayor would be good protocol and demonstrate strong support of the City for the success of the Rockville business community.

The Mayor and Council will hold an annual meeting with the REDI Board of Directors in order for the organizations to share direction, goals, and initiatives.

## ARTICLE V TERMINATION AND AMENDMENT

#### 5.1 Termination

1. This Agreement may be terminated for convenience:

(a) At any time upon mutual consent of the City and REDI;

and

(b) Upon six (6) months' notice by the City to REDI.

2. This Agreement may be terminated for cause upon sixty days' notice and failure to cure by either the City or REDI, which includes the City's failure to make payment as set forth in Article I above.

## 5.2 Amendment

Subject to compliance with applicable law, this Agreement may be amended by the parties hereto, by action taken or authorized, as to the City, by the Mayor and Council, and as to REDI, by its Board of Directors. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

## ARTICLE VI GENERAL PROVISIONS

### 6.1 Expenses

All costs and expenses incurred in connection with this Agreement shall be paid by the party incurring such expense.

### 6.2 Indemnification

REDI agrees to indemnify and hold harmless, the City, its agents, successor, and assigns, from any and all claims, demands, actions, causes of action, damages, expenses, liabilities, and attorney's fees, arising in any way from REDI's activities and the actions or inaction of REDI's agents or employees. Within the limits of the City's scope of insurance coverage, and the limitations and immunities provided by law, including but not limited to the Local Government Tort Claims Act, Section 5-303 (a), Courts & Judicial Proceedings Article, Annotated Code of Maryland, the City shall be responsible for claims of liability, loss, or damage arising from its direct negligence or willful misconduct, excepting however such claims or damages as may be attributable in whole or in part to the negligence of REDI, its agents, employees, servants, or contractors. Nothing in this Agreement shall be construed as a promise or agreement by the City to indemnify REDI for any claims of liability, loss or damage arising from negligence or willful misconduct

by REDI, or its agents.

### 6.3 Insurance

Prior to the execution of the contract by the City, REDI must obtain at their own cost and expense and keep in force and effect during the term of the contract including all extensions, the following insurance with an insurance company/companies licensed to do business in the State of Maryland evidenced by a certificate of insurance and/or copies of the insurance policies. REDI's insurance shall be primary.

REDI must submit to the City Manager or designee, 111 Maryland Avenue, Rockville, MD 20850, a certificate of insurance evidencing required insurance coverage prior to expiration of existing policies. In no event may the insurance coverage be less than shown below.

#### MANDATORY REQUIREMENTS FOR INSURANCE

REDI's insurance coverage shall be primary insurance as respects the City, its elected and appointed officials, officers, consultants, agents and employees and any insurance or self-insurance maintained by the City, shall be excess of the REDI's insurance and shall not be called upon to contribute with it.

Type of Insurance	Amounts of Insurance	Endorsements and Provisions
<b>1. Workers' Compensation</b> <b>2. Employers' Liability</b>	Bodily Injury by Accident: \$100,000 each accident  Bodily Injury by Disease: \$500,000 policy limits  Bodily Injury by Disease: \$100,000 each employee	Waiver of Subrogation: <i>WC 00 03 13 Waiver of Our Rights to Recover From Others</i> <i>Endorsement – signed and dated.</i>
<b>3. Commercial General Liability</b>  a. Bodily Injury b. Property Damage c. Contractual Liability d. Premise/Operations e. Independent Contractors f. Products/Completed Operations g. Personal Injury	Each Occurrence: \$1,000,000	City to be listed as additional insured and provided 30-day notice of cancellation or material change in coverage. <i>CG 20 37 07 04 and CG 20 10 07 04 forms to be both signed and dated.</i>

Alternative and/or additional insurance requirements, when outlined under the special provisions of this contract, shall take precedence over the above requirements in part or in full as described therein.

## **POLICY CANCELLATION**

No change, cancellation or non-renewed shall be made in any insurance coverage without a thirty (30) day written notice to the City. REDI shall furnish a new certificate prior to any change or cancellation date. The failure of REDI to deliver a new and valid certificate will result in suspension of all payments and cessation of work activities until a new certificate is furnished.

## **ADDITIONAL INSURED**

The Mayor and Council of Rockville, which includes its elected and appointed officials, officers, consultants, agents and employees must be named as an additional insured on REDI's Commercial General Liability Insurance for liability arising out of REDI's products, goods, and services provided under this contract. Additionally, The Mayor and Council of Rockville must be named as additional insured on REDI's General Liability Policies. Endorsements reflecting the Mayor and Council of Rockville as an additional insured are required to be submitted with the insurance certificate.

## **SUBCONTRACTORS**

All subcontractors shall meet the requirements of this Section before commencing work. In addition, subcontractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

## **CERTIFICATE HOLDER**

The Mayor and Council of Rockville  
111 Maryland Avenue  
Rockville, MD 20850

### **6.4 Notices**

All notices and other communications hereunder shall be in writing and shall be deemed given if delivered personally, telecopied (with confirmation), mailed by registered or certified mail (return receipt requested) or delivered by an express courier (with confirmation) to the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

- (a) If to REDI:  
Rockville Economic Development, Inc.  
51 Monroe Street PE-20  
Rockville, MD 20850  
Attn: Chairperson

- (b) If to the City:

City of Rockville  
111 Maryland Avenue  
Rockville, MD 20850

Attn: Mayor

#### 6.5 Entire Agreement; Governing Law; Venue

This constitutes the entire Agreement with respect to the subject matter hereof. This Agreement shall be governed and construed in accordance with the laws of the State of Maryland, without regard to any applicable conflicts of law. Venue for any litigation related to this Agreement shall be in courts of competent jurisdiction located in Montgomery County, Maryland.

#### 6.6 Assignment; Limitation of Benefits

Neither this Agreement nor any of the rights, interests or obligation hereunder shall be assigned by any of the parties hereto (whether by operation of law or otherwise) without the prior written consent of the other parties.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the day and year first written above.

ATTEST:

THE MAYOR AND COUNCIL OF ROCKVILLE

\_\_\_\_\_  
Sara Taylor-Ferrell  
City Clerk/Director of  
Council Operations  
City of Rockville

\_\_\_\_\_  
Robert DiSpirito  
City Manager  
City of Rockville

ATTEST:

ROCKVILLE ECONOMIC DEVELOPMENT INC

\_\_\_\_\_  
Cynthia Stewart  
Chief Executive Officer  
REDI

\_\_\_\_\_  
Susan Prince  
Chairperson  
REDI Board of Directors





Mayor & Council Meeting Date: October 5, 2020  
 Agenda Item Type: Presentation  
 Department: PW - Traffic & Transportation  
 Responsible Staff: Emad Elshafei

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## **Subject**

Presentation of Consultant's Analysis of North Washington Street and East Middle Lane

---

## **Recommendation**

Staff recommends that the Mayor and Council receive the presentation of the Town Center Road Analysis and direct staff on next steps

---

## **Subject**

Presentation of Consultant's Analysis of East Middle Lane and North Washington Street

---

## **Recommendation**

Staff recommends that the Mayor and Council receive the presentation of the Town Center Road Analysis and direct staff on next steps.

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## **Discussion**

The Urban Land Institute (ULI) Report of July 2019 recommended some changes in the Rockville Town Center to strengthening its vitality. New cross sections were suggested for E. Middle Lane between MD 355 and N. Washington Street, and on N. Washington Street between MD 28 and MD 355 within Rockville Town Center. For this purpose, the City hired a consultant to perform a study (Attachment A) to assess new alternatives for the two road sections in Town Center.

Currently, E. Middle Lane and N. Washington Street could be considered as roads serving general traffic thoroughfares. Repurposing the available curb to curb roadway via a traditional road diet can promote traffic calming – both from a volume and speed standpoints - while also freeing up pavement for the types of uses that can promote an activated mixed-use space, such as short-term parking and protected bike facilities, beneficial to improving accessibility to ground floor retail within the Town Center. By calming traffic and making the area accessible to short-term high-turnover parking, as well as safe/accessible bike lanes, a road diet in the area fosters pedestrian life for retailers, providing a greater sense of space and adding urban context to an area that has a mix of land uses. Finally, new bike lanes within the Rockville Town Center

will provide last-mile connectivity to and from designated City/County biking routes outside the core.

Several options for repurposing the roadway along E. Middle Lane and N. Washington Street were developed and analyzed across multiple measures of effectiveness, including traffic operations, pedestrian and bicycle experience/safety, bus stop accessibility, parking operations and impacts on businesses (e.g. loading or carshare pickup/drop-off zones). A description of these alternatives – both a typical section and 10% design – are presented herein along with the analysis of each option.

#### Study Purpose and Goals:

The Purpose of this feasibility study is to develop a 10% design for E. Middle Lane and for N. Washington Street, within the Rockville Town Center, that is more business-friendly and contributing to a pedestrian and bike-friendly environment. Design Goals include:

- Design for additional curbside parking or loading to support businesses
- Add bike lanes
- Reduce speeds
- Minimize traffic impacts
- Provide for shorter crossing distance for pedestrians
- Develop improvements within the existing travelway (e.g. in between the curbs)

To that end, this feasibility study evaluates alternative designs and summarizes their impacts to traffic, parking, pedestrians, cyclists, and bus operations. Once a preferred option is chosen for each street, the 10% Design can be advanced into construction documents and implemented in conjunction with the next road resurfacing. E. Middle Lane and N. Washington St. are currently scheduled for resurfacing in FY 22. Resurfacing will also need to be coordinated after the work scheduled on E. Middle Lane, in conjunction with the Duball II development project, is completed.

#### Design Options:

Alternative concepts were developed based on a review of the ULI Technical Assistance Panel Report – Rockville Town Center: Strengthening Its Vitality (July 9-10, 2019) and a summary of field survey observations. Two options were developed for E. Middle Lane and three options were developed for N. Washington Street (Attachment B). The concepts applied Complete Streets principles for retrofitting both roadways with high-quality bicycle facilities and/or curbside parking in order to achieve a calmed and pedestrian-oriented and business-friendly Town Center core. The concepts were overlaid on the existing base map to illustrate before and after conditions. Where bike lanes are incorporated, the concepts varied in quality from traditional lanes to buffered lanes to fully protected lanes, with each option having tradeoffs between safety and the pavement width required. When developing and iterating the design concepts, some of the critical design requirements included:

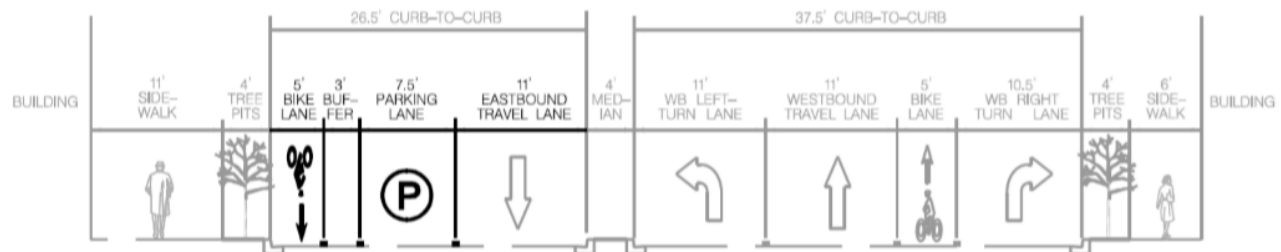
- Maintaining driveway/intersection Sight Distance;

- Minimizing Door Zones and their impacts to bike lanes;
- Retaining curb-side Bus Stops;
- Minimizing traffic impacts;
- Reducing the number of travel lanes needed to cross the study area streets;
- Utilizing only existing roadbed (i.e., no changes behind curbs), such that the design can be implemented during a typical roadway resurfacing.

### East Middle Lane

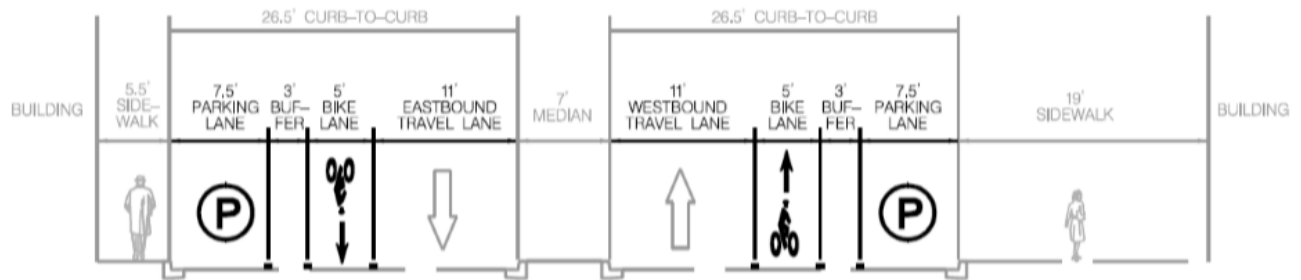
The two concepts for East Middle Lane incorporate repurposing the two travel lanes and a bike lane in each direction into:

- **Option A:** One travel Lane, buffered curbside bike lanes, and a parking lane in between the travel lane and the bike lane buffer. (See figure below for a typical cross-section view).



*Rendering of Option A for East Middle Lane*

- **Option B:** One travel Lane, curbside parking lane, and a bike lane with door zone in between the travel lane and the parking lane. (See figure below for a typical cross-section view).

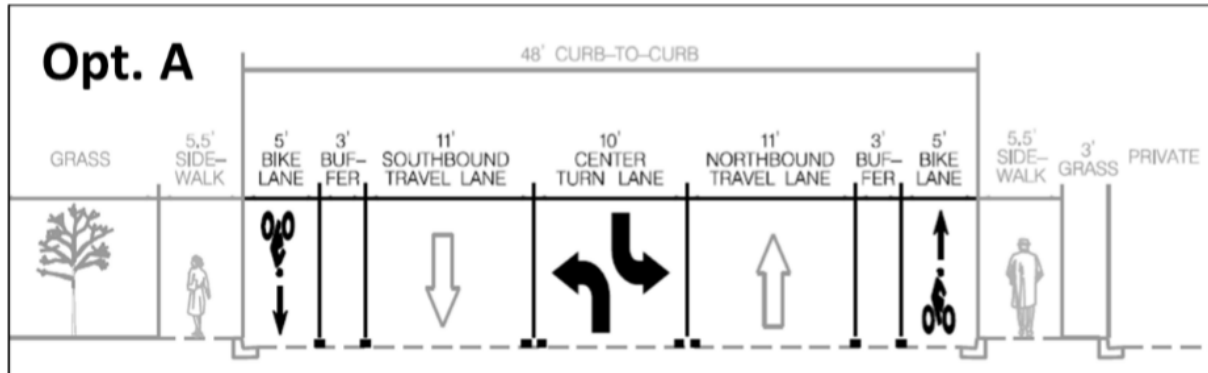


*Rendering of Option B for East Middle Lane*

### North Washington Street

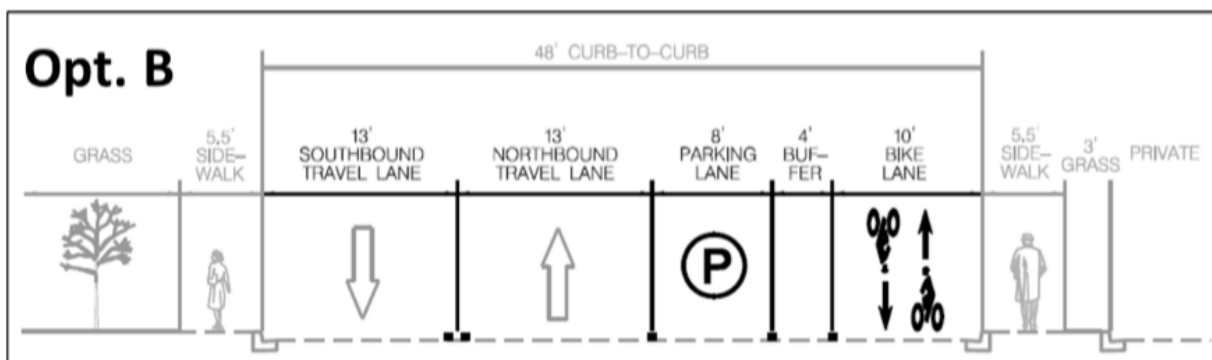
For North Washington Street, three alternatives were developed, all with reduction in the number of travel lanes, each with varying degrees of parking and bike lane quality:

- **Option A:** One travel Lane in each direction, left-turn lanes at most intersections, and buffered curbside bike lanes. No parking is provided in this option. (See figure below for a typical cross-section view).



*Rendering of Option A for N. Washington Street*

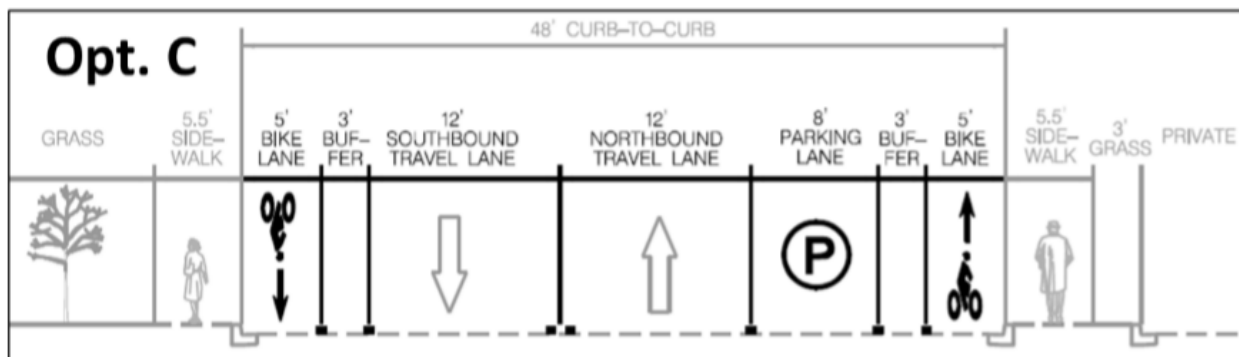
- **Option B:** One travel Lane in each direction, a parking lane along the northbound direction, and a two-way cycle track curbside along the northbound approach. A buffer zone / door zone separates the two-way bike lanes from the parking lane. Turn lanes are introduced at select locations at the expense of parking. (See figure below for a typical cross-section view).





*Rendering of Option B for N. Washington Street*

- **Option C:** One travel Lane in each direction, buffered bike lanes on the northbound and southbound sides of the road, and a parking lane in the northbound direction. The parking lane and the northbound bike lane are separated with a buffer/door zone. (See figure below for a typical cross-section view).







*Rendering of Option C for N. Washington Street*

Summary of Findings and Impact:

The following points represent a summary of the analysis and its findings:

- N. Washington Street and E. Middle Lane have previously been identified as travelways that need repurposing to make them more business-friendly and safer/accessible by walkers and cyclists.
- Three two options for E. Middle Lane and three options for N. Washington Street were developed to provide varying amounts of full-time curbside parking, as well as dedicated bike lanes of varying quality.
- These options were analyzed initially for impacts to traffic. Subsequent changes were made to each option in order to maintain traffic flow. These changes meant that several intersection approaches would remain as they are currently configured:
  - o Northbound N. Washington Street at MD 355;
  - o Eastbound E. Middle Lane at MD 355;
  - o Westbound E. Middle Lane at N. Washington Street; and
  - o Southbound left turns along N. Washington Street at Dawson Ave, Beall Ave, and E. Middle Lane were maintained in all options.
- For E. Middle Lane, the additional parking provided was generally the same in each option, but Option A provided superior biking facilities when compared to Option B.
- For N. Washington Street, Option A provided buffered bike lanes with the potential for adding vertical protection but offered no curbside parking. Option B provided the safest biking option, included curbside parking, but requires traffic signal changes at all signalized intersections within the corridor. Option C provides the most parking along N. Washington St., and includes protected northbound bike lanes and buffered/traditional southbound curbside bike lanes.



- For all options along N. Washington Street, curbside parking was proposed only on the east side of the corridor because the east side is adjacent to the Town Square where parking is most useful, and the space only allowed parking on one side.
- While all curbside space in the conceptual drawings was shown as designated for parking, some space can also be allocated to deliveries or curbside restaurant pickup.
- Sight distance limitations at driveways and intersections limit the amount of total curbside parking that can be provided. The number of parking spaces created for each option is shown in the “Parking” row of the Alternatives Analysis Matrix below.
- Bus impacts were negligible and curbside boarding/alighting remained unchanged at all stops within the study area.
- Pedestrians benefit from all options primarily at uncontrolled midblock crossings (three along E. Middle Lane and one along N. Washington Street), where fewer travel lanes to cross means less time exposed to through-traffic and a shorter overall crossing distance.
- The speed limit for N. Washington Street is recommended to be reduced from 30 mph to 25 mph to match E. Middle Lane.
- Generally, within the constrained right-of-way for each of the two streets, the ability to provide parking comes at the expense of providing buffers to bike lanes or additional turn lanes for motorists. Accordingly, once a preferred option is chosen, several design changes will likely be needed between the 10% conceptual plan provided in the appendix, and the final construction-level drawing set needed for implementation (as either a standalone project or during resurfacing).
- The Overall cost for Final Design and construction is estimated to be between \$200,000 and \$300,000, depending on the alternative chosen (see table below).

Street	North Washington Street			East Middle Lane	
Option	Option A	Option B	Option C	Option A	Option B
Striping Cost	\$ 45,000	\$ 45,000	\$ 45,000	\$ 20,000	\$ 20,000
Signing Cost	\$ 3,000	\$ 3,000	\$ 3,000	\$ 2,000	\$ 2,000
Signalization Cost	n/a	\$ 120,000	n/a	n/a	n/a
Additional Flexible Post Vertical Protection	\$ 15,000	\$ 10,000	\$ 10,000	n/a	n/a
Design Cost	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
<b>TOTAL COST</b>	<b>\$ 113,000</b>	<b>\$ 228,000</b>	<b>\$ 108,000</b>	<b>\$ 72,000</b>	<b>\$ 72,000</b>

A summary matrix of all findings for each of the three options developed is provided below:

Alternatives Analysis					
Category	Metric	Option A	Option B	Option C	Notes
Pedestrians	Change in distance across travel lanes at unsignalized crossings	Middle Lane: 8 to 16 feet reduction in travel distance across general vehicle lanes. Washington St: 10 feet reduction in travel distance across general vehicle lanes.	Middle Lane: 8 to 16 feet reduction in travel distance. Washington St: 20 feet reduction in travel distance.	Washington St: 21 foot reduction in travel distance across general vehicle lanes.	
Cyclists	Change in on-street Comfort Level	-Provides Maximum protection from vehicle traffic along Middle Lane. -Dedicated bike lanes along Washington Street are mostly buffered (option for vertical protective barriers)	-Provides protected two-way cycletrack on Washington Street. -Provides Dedicated Bike Lanes on Middle Lane, but no protection from vehicle traffic	-Provides protected northbound bike lane and partially buffered southbound bike lane on Washington Street. -No Option C for Middle Lane	For Option B, southbound cyclists will need protection from southbound left-turning vehicles
Vehicles	-Change in queue lengths on approaches. -Intersection Delay.	Minimal changes to Delay and to queuing at all approaches of signalized intersections	Minimal changes to Delay and to queuing at all approaches of signalized intersections. Additional delay at unsignalized intersections/garages/driveways on N. Washington St	Minimal changes to Delay and to queuing at all approaches of signalized intersections. Additional delay at unsignalized intersections/garages/driveways on N. Washington St	Minimal changes in delay and queuing are entirely due to critical approaches remaining unchanged in all of the options
Parking	-Additional Parking on Middle Ln. -Additional Parking on Washington St.	-29 new spaces on Middle Lane only	-13 new spaces on Washington St. -33 new spaces on Middle Lane	-16 new spaces on Washington St.	Curbside Parking is pulled back where bus boarding occurs at driveways and intersections.
Buses	Bus Travel Time	Dependent on Change in Vehicle Travel Time	Dependent on Change in Vehicle Travel Time	Dependent on Change in Vehicle Travel Time	Curbside Parking to be pulled back to allow curbside bus boarding without traffic disruption
Cost	Estimated Cost of Final Design and Installation	\$113,000 for Washington Street; and \$72,000 for Middle Lane	\$228,000 for Washington Street; and \$72,000 for Middle Lane	\$108,000 for Washington Street; and \$72,000 for Middle Lane	No Option C for Middle Lane

As explained below, the Rockville Bicycle Advisory Committee (RBAC) chose Option A for both East Middle Lane and North Washington Street. City staff agrees with Option A for East Middle Lane, but would recommend either Option A or Option C for North Washington Street. The benefits of Option C include 16 additional parking spaces and 11 feet less distance for pedestrians to cross while in conflict with vehicles. The downside of Option C is the additional vehicular delay at intersections and garages.

## Mayor and Council History

This is the first time this item has been brought before the Mayor and Council. It is a follow up to the ULI Report presented to the Mayor and Council in 2019.

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## Options Considered

Two options for East Middle Lane and three options for N. Washington Street are included in this study, as described above.

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## Boards and Commissions Review

The consultant presented the study and options to the Traffic and Transportation Commission, and representatives from the Rockville Bicycle Advisory Committee (RBAC) and the Rockville Pedestrian Advocacy Committee (RPAC) on August 25, 2020. Staff also presented and discussed the options with RBAC and RPAC on September 2 and September 10, 2020, respectively.

In summary, the Traffic and Transportation Commission supported the road-diet concept but did not choose a specific option. RBAC chose Option A for both East Middle Lane and North Washington Street. The Committee also preferred the raised-surface buffer over the flex-posts. Additionally, RBAC recommended parking to be limited near intersection crossings to ensure visibility for pedestrians, cyclists and drivers, and to keep it short-term (e.g., limited to only 15 minutes). While RPAC supported the road-diet concept in general, the Committee did not choose a specific option and recommended to expand the study to include sidewalk improvements such as widening. Other recommendations related to pedestrian safety and accessible parking spaces were also provided. These recommendations will be addressed during the design phase of this project if it moves forward. Input statements from RBAC and RPAC are included in Attachments C and D, respectively.

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## Next Steps

The Mayor and Council will direct staff on the next steps, which can include the implementation of a CIP project to design and construct one of the three options to be considered for funding in FY 2022 or beyond. The chosen option will also be incorporated into the City's 2040 Master Plan.

## Attachments

- Attachment 11.a: Rockville Town Center Report (PDF)
- Attachment 11.b: Appendix A - Rockville\_Concept\_OptionsA-C(PDF)
- Attachment 11.c: RBAC Recommendations for Road Diet Study (DOCX)
- Attachment 11.d: RPAC Recommendations fo Road Diet Study (DOCX)



Rob DiSpirito, City Manager

9/30/2020



PREPARED BY  
**Mead  
 & Hunt**

PRELIMINARY DRAFT

# East Middle Lane and North Washington Street Improvement

## *Feasibility Report*

September 202

Attachment 11.a: Rockville Town Center Report (3228 : Presentation of Consultant's Analysis of North Washington Street and East Middle

## East Middle Lane and North Washington Street Improvements

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Appendix B: Existing Conditions Highway Capacity Manual (HCM) reports
Appendix C: Highway Capacity Manual (HCM) reports for Alternatives
Appendix D: AASHTO's Required Intersection Sight Distance for 25 MPH and 30 MPH

## East Middle Lane and North Washington Street Improvements

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### 1.Executive Summary

North Washington Street and East Middle Lane, within the Rockville Town Center, have previously been identified as travelways that need repurposing to make them more business-friendly and safer/accessible by walkers and cyclists. A feasibility study was undertaken to evaluate these roadways and develop alternative designs. A summary of the findings of the Study is as follows:

- Three options for North Washington Street and two options for East Middle Lane were developed to provide varying amounts of full-time curbside parking as well as dedicated bike lanes of varying quality.
- These options were analyzed initially for impacts to traffic, where subsequent changes were made to each option in order to maintain traffic flow. These changes meant that several intersection approaches would remain as they are currently configured:
  - Northbound North Washington Street at MD 355;
  - Eastbound East Middle Lane at MD 355; and
  - Westbound East Middle Lane at North Washington Street
  - Additionally, southbound left turns along North Washington Street at Dawson Ave, Beall Ave and East Middle Lane were maintained in all options.
- For East Middle Lane, the additional parking provided was similar for each option, but Option A provided superior biking facilities when compared to Option B.
- For North Washington Street, Options A provided buffered bike lanes with the potential for adding vertical protection, but offered minimal additional curbside parking. Option B provided the safest biking option, included curbside parking, but requires traffic signal changes at all signalized intersections within the corridor. Option C provides the most parking along North Washington Street and includes protected northbound bike lanes and buffered/traditional southbound curbside bike lanes.
- For all options along North Washington Street, curbside parking was proposed only on the east side of the corridor.
- While all curbside space in the conceptual drawings was shown as designated for parking, some space can also be allocated to deliveries or curbside restaurant pickup.
- Sight distance limitations at driveways and intersections limit the amount of total curbside parking that can be provided.
- Bus impacts were negligible, and curbside boarding/alighting remained unchanged at all stops within the study area.
- Pedestrians benefit from all options primarily at uncontrolled midblock crossings (three along East Middle Lane and one along North Washington Street), where fewer travel lanes to cross means less time exposed to through-traffic and a shorter overall crossing distance.
- The speed limit for North Washington Street is recommended to be reduced from 30 mph to 25 mph to match East Middle Lane.
- Generally, within the constrained right of way for each of the two streets, the ability to provide parking comes at the expense of providing buffers to bike lanes or additional turn lanes for motorists. Accordingly, once a preferred option is chosen, several design changes will likely be needed between the 10% conceptual plan provided in the appendix and the final construction-level drawing set needed for implementation as a standalone project or during resurfacing.
- The overall cost for final design and construction drawings is estimated to be between \$200,000



## East Middle Lane and North Washington Street Improvements

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and \$300,000, depending on the option chosen.

A summary of impacts findings for each of the 5 options developed in provided at the end of this report.

## 2. Introduction

Per the Urban Land Institute's (ULI) Report, *Rockville Town Center: Strengthening Its Vitality* (July 2019), there is a need to address the safety and business impact of the design of East Middle Lane between MD 355 and North Washington Street, and on North Washington Street between MD 28 and MD 355 within Rockville Town Center. Currently, these two roadway segments do not foster pedestrian activation within the Rockville Town Center core, but rather primarily serve as general traffic thoroughfares. Repurposing the available curb-to-curb roadway via a traditional road diet can promote traffic calming – both from a traffic volume and speed standpoint, while also freeing up pavement for the types of uses that can promote an activated mixed-use space, such as short-term curbside parking and protected bike facilities, beneficial to improving accessibility to ground floor retail with the Town Center. By calming traffic and making the area accessible to short-term high-turnover parking as well as safe/accessible bike lanes, a road diet in the area fosters pedestrian life for retailers, providing a greater sense of space and adding urban context to area that has a mix of land uses. Finally, new bike lanes within the Rockville Town Center will provide last-mile connectivity to and from designated City/County biking routes outside the Town Center core.

Several options for repurposing the roadway along East Middle Lane and along North Washington Street were developed and analyzed across multiple measures of effectiveness, including traffic operations, pedestrian and bicycle experience/safety, bus stop accessibility, parking operations and impacts on businesses (e.g. loading or carshare pickup/drop-off zones). A description of these alternatives – both a typical section and 10% conceptual design – are presented herein along with analyses of each option.

### A. Study Purpose and Goals

The purpose of this feasibility study is to develop a 10% design for East Middle Lane and for North Washington Street, within the Rockville Town Center, that is more business-friendly and contributing to a pedestrian and bike-friendly environment. Design Goals include:

- Design for additional curbside parking or loading to support businesses
- Add bike lanes
- Reduce speeds
- Minimize traffic impacts
- Provide for shorter crossing distance for pedestrians
- Develop improvements within the existing travelway (e.g. in between the curbs)

To that end, this feasibility study will evaluate alternative designs and summarize their impacts to traffic, parking, pedestrians, cyclists, and bus operations. Once a preferred option is chosen for each street, the 10% Design can be advanced into construction documents and incorporated during the next road resurfacing.

## 3. Study Area and Existing Conditions

Project Limits for the study area are: East Middle Lane from MD 355 to North Washington Street and North Washington Street from MD 355 to MD 28 (Jefferson Street), as shown in Figure 1.

## East Middle Lane and North Washington Street Improvements

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Figure 1: Study Area

North Washington Street is a 4-lane closed section (i.e. curb and gutter) with sidewalk and turn lanes at select locations. As shown in Figure 2, North Washington Street has unbuffered sidewalks with a curb-to-curb width 42 to 48 feet. South of Dawson Ave, North Washington street has mostly buffered sidewalks, with generally the same curb-to-curb road width.



Figure 2: Photo and typical cross section for North Washington St

Similarly, as shown in Figure 3, East Middle Lane has mostly buffered sidewalks and travel directions separated by a center median. Each travel direction's curb-to-curb width is about 26 feet.

## East Middle Lane and North Washington Street Improvements

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Figure 3: Photo and typical cross section for East Middle Lane

### A. Parking

No curbside parking is present along either East Middle Lane or North Washington Street, through the Rockville Town Center area. However, multiple public and private parking garages are accessible from both streets. Additionally, Monroe Street, Maryland Ave, and Gibbs Street have on-street parking.

### B. Transit

East Middle Lane is served by both Montgomery County's RideOn bus service, Line 55, as well as WMATA's metrobus T2 line. The 55 line has a peak hour headway of about 20 minutes, while the T2 line has a half-hour peak period headway. Eastbound and Westbound stops along East Middle Lane are at Monroe Street and at Gibbs Street. RideOn's bus line 46 and 55 serve North Washington Street, both with 20 min headways during peak commuting times. Northbound/southbound stops are at Martins Lane, Dawson Ave, Beall Ave, East Middle Lane, and Montgomery Ave, Maryland Ave, and Gibbs Street have curbside parking.

### C. Pedestrian and Bike Transportation

On-road bike lanes are located:

- Along Gibbs Street in between the northbound travel lane and the parking lane
- Along East Middle Lane, westbound between MD 355 and North Washington Street; and eastbound between North Washington Street and Monroe Street.
- Beall Ave, between MD 355 and North Washington Street, in both directions

Additionally, to the west of North Washington Street, the following east-west roadways are designated bike routes for on-street biking: Martins Lane, North Street, Beall Ave, and East Middle Lane.



## East Middle Lane and North Washington Street Improvements

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East Middle Lane has sidewalk of varying width, most of which is buffered from the roadway with street trees. Similarly, North Washington Street has a variable width sidewalk that is largely buffered south of Dawson Ave, but is unbuffered north of Dawson Ave.

### D. Traffic

Typical weekday AM and PM peak hour turning movement volume sets were developed at all study intersections to be utilized in Synchro traffic models for the Existing Conditions analysis and to serve as a baseline for alternative build scenarios. At the time of this study's scoping and kickoff, traffic patterns within the study area were affected by the ongoing COVID-19 pandemic, making new data collection impossible. Therefore, pre-pandemic turning movement counts collected between 2016 and 2020 provided by the city of Rockville were instead applied to the traffic model. The counts were supplemented with count data from the Maryland Department of Transportation State Highway Administration's (MDOT-SHA) Internet Traffic Monitoring System (ITMS) at the MD 355 intersections with North Washington Street and East Middle Lane. The raw intersection counts were conservatively balanced between intersections considering mid-block sinks and sources. Minor study intersections without available traffic counts were estimated using conservative volumes based on the imbalances at count locations. Peak hour volumes were rounded to the nearest 5 vehicles.

#### ***Synchro Model Development & Calibration***

All study intersections were coded into a Synchro network to perform capacity analyses. Synchro is a deterministic and macroscopic signal analysis computer software program that models street networks and traffic signal systems. Geometric data such as number of lanes, lane configuration, storage lengths, link speeds, and distances between intersections were input into Synchro. Additionally, existing signal timings and phasing were obtained from the City of Rockville and the Montgomery County Department of Transportation. These timings were coded into a Synchro traffic model along with the 2020 baseline traffic volumes.

The Synchro model representing Existing Conditions was validated to pre-pandemic traffic conditions using previous field observations provided of City of Rockville engineers. Modifications to parameters such as signal timings, link speeds, and headway factors were made, where necessary, to ensure the model represented field-observed peak hour delays queue lengths.

#### ***Existing Conditions Traffic Analysis***

Intersection capacity analyses were performed using the industry HCM methodology. Synchro implements HCM methods of analysis, which were used for the intersection capacity analysis of all study intersections during weekday AM and PM peak hours. Performance measures of effectiveness from the Synchro model include level of service (LOS), volume-to-capacity (v/c) ratio, and average vehicle delay.

Key performance measures are defined as follows:

- Level of Service (LOS) is a qualitative measure describing operational conditions of an intersection or any other transportation facility. LOS measures the quality of traffic service, and may be determined for intersections, roadway segments, or arterial corridors on the basis of delay, congested speed, volume to capacity (v/c) ratio, or vehicle density by functional class. At intersections, LOS is a letter designation that corresponds to a certain range of roadway operating conditions. The levels of service range from 'A' to 'F', with 'A' indicating the best operating conditions and 'F' indicating the worst, or a failing, operating condition.

## East Middle Lane and North Washington Street Improvements

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- The volume-to-capacity ratio (v/c ratio) is the ratio of current flow rate to the capacity of the intersection. This ratio is often used to determine how sufficient capacity is on a given roadway. Generally speaking, a ratio of 1.0 indicates that the roadway is operating at capacity. A ratio of greater than 1.0 indicates that the facility is operating above capacity as the number of vehicles exceeds the roadway capacity.
- Delay (Control delay) is the portion of delay attributed to traffic signal operation for signalized intersections. Control delay (overall delay) can be categorized into deceleration delay, stopped delay, and acceleration delay. Table 1 shows each Level of Service and their corresponding delay values for signalized and unsignalized intersections.

Table 1: Intersection Level of Service Thresholds

Level of Service	Delay Range (sec)	
	Signalized intersections	Unsignalized intersections
A	≤10	≤10
B	>10 and ≤20	>10 and ≤15
C	>20 and ≤35	>15 and ≤25
D	>35 and ≤55	>25 and ≤35
E	>55 and ≤80	>35 and ≤50
F	>80	>50

Table 2 summarizes the Existing Conditions Synchro HCM and queueing analyses results at the movement and overall intersection levels for the signalized study intersections with failing LOS “F” highlighted in red. Detailed HCM and queueing reports are provided in Appendix B.

The results of the static existing conditions capacity analysis indicate that three movements at two study intersections experience failing LOS F or v/c ratio > 1.00:

- MD 355 at N North Washington Street
  - Eastbound left (86.4 sec/veh) - PM peak only
  - Eastbound left-through-right (86.4 sec/veh) - PM peak only
- MD 355 at N North Washington Street
  - Northbound left (210.7 sec/veh) - AM peak only

## East Middle Lane and North Washington Street Improvements

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Table 2: Existing Conditions Capacity Analysis

Node	Intersection	Approach	Movement	Existing			
				AM (PM)			
				Delay	LOS	V/C	
1	MD 355 & N Washington St/Shopping Ent	Control Type		Signal			
		Overall		42.9 (43.5)	D (D)	0.89 (0.83)	- (-)
		Eastbound	left	73.0 (86.4)	E (F)	0.64 (0.92)	75 (325)
			left-through-right	73.0 (86.3)	E (F)	0.64 (0.92)	100 (325)
		Westbound	left	70.5 (69.2)	E (E)	0.38 (0.56)	50 (150)
			through	70.1 (74.5)	E (E)	0.36 (0.65)	50 (175)
			right	66.7 (62.0)	E (E)	0.01 (0.02)	25 (50)
			Northbound	left	49.7 (27.4)	D (C)	0.59 (0.50)
		through-right		12.9 (37.0)	B (D)	0.35 (0.84)	125 (500)
Southbound	left	9.7 (36.0)	A (D)	0.13 (0.62)	125 (200)		
	through-right	51.1 (33.9)	D (C)	1.02 (0.77)	625 (375)		
2	N Washington St & Martins Ln/Wells Fargo	Control Type		Signal			
		Overall		8.4 (13.5)	A (B)	0.34 (0.52)	- (-)
		Eastbound	left-through-right	45.1 (42.9)	D (D)	0.32 (0.70)	50 (150)
			right	37.0 (27.8)	D (C)	0.07 (0.02)	75 (50)
		Westbound	left-through-right	46.1 (30.6)	D (C)	0.36 (0.06)	50 (50)
			left-through-right	0.3 (8.8)	A (A)	0.15 (0.44)	100 (200)
		Northbound	left	- (-)	- (-)	- (-)	- (-)
			through-right	- (-)	- (-)	- (-)	- (-)
		Southbound	left-through-right	4.8 (8.5)	A (A)	0.35 (0.27)	125 (125)
left	- (-)		- (-)	- (-)	- (-)		
	through-right	- (-)	- (-)	- (-)	- (-)		
	3	N Washington St & Dawson Ave	Control Type		Signal		
Overall			4.6 (4.9)	A (A)	0.31 (0.27)	- (-)	
Eastbound			left-through-right	41.9 (38.4)	D (D)	0.18 (0.14)	50 (75)
			left-through-right	42.6 (43.0)	D (D)	0.32 (0.55)	50 (100)
Westbound			right	41.1 (37.9)	D (D)	0.01 (0.02)	50 (50)
			left-through-right	0.8 (0.7)	A (A)	0.13 (0.24)	50 (50)
Northbound			left	- (-)	- (-)	- (-)	- (-)
			through-right	- (-)	- (-)	- (-)	- (-)
Southbound			left-through-right	3.6 (1.4)	A (A)	0.31 (0.22)	125 (100)
	left	- (-)	- (-)	- (-)	- (-)		
	through-right	- (-)	- (-)	- (-)	- (-)		
	4	N Washington St & Beall Ave	Control Type		Signal		
Overall			15.8 (17.7)	B (B)	0.59 (0.61)	- (-)	
Eastbound			left	20.9 (24.8)	C (C)	0.12 (0.16)	75 (75)
			through-right	23.2 (24.4)	C (C)	0.36 (0.19)	175 (125)
Westbound			left-through-right	27.7 (51.7)	C (D)	0.35 (0.82)	150 (250)
			right	17.0 (21.8)	B (C)	0.02 (0.17)	50 (125)
Northbound			left	16.2 (7.2)	B (A)	0.12 (0.13)	50 (75)
			through-right	17.0 (6.6)	B (A)	0.31 (0.37)	100 (150)
left-through-right			- (-)	- (-)	- (-)	- (-)	
Southbound	left	6.0 (9.3)	A (A)	0.33 (0.29)	100 (100)		
	through-right	11.6 (11.7)	B (B)	0.63 (0.47)	225 (225)		
5	N Washington St & W Middle Ln/E Middle Ln	Control Type		Signal			
		Overall		20.5 (22.2)	C (C)	0.39 (0.51)	- (-)
		Eastbound	left	29.2 (28.3)	C (C)	0.02 (0.06)	25 (50)
			through-right	30.2 (29.1)	C (C)	0.13 (0.16)	75 (100)
		Westbound	left	29.4 (27.6)	C (C)	0.50 (0.55)	150 (175)
			through	25.5 (24.4)	C (C)	0.25 (0.40)	100 (225)
			right	30.7 (40.1)	C (D)	0.31 (0.73)	125 (200)
		Northbound	left	13.6 (20.5)	B (C)	0.05 (0.07)	50 (75)
			through-right	17.5 (23.5)	B (C)	0.23 (0.38)	200 (275)
left-through-right	- (-)	- (-)	- (-)	- (-)			
Southbound	left	48.4 (33.4)	D (C)	0.70 (0.39)	150 (125)		
	through-right	4.0 (4.9)	A (A)	0.18 (0.19)	175 (100)		

## East Middle Lane and North Washington Street Improvements

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Table 2, Continued...

Node	Intersection	Approach	Movement	Existing			
				AM (PM)			
				Delay	LOS	V/C	
6	N Washington St & W Montgomery Ave/Courthouse Rd	Control Type		Signal			
		Overall		20.7 (21.7)	C (C)	0.47 (0.53)	- (-)
		Eastbound	left through-right	16.4 (14.1)	B (B)	0.48 (0.52)	175 (150)
				14.7 (11.9)	B (B)	0.11 (0.10)	550 (600)
		Westbound	left-through-right	35.0 (32.1)	C (C)	0.19 (0.25)	125 (150)
		Northbound	left-through-right	26.5 (24.6)	C (C)	0.30 (0.24)	100 (75)
		Southbound	through right through-right	30.3 (30.1) 13.0 (22.9)	C (C) B (C)	0.53 (0.42) 0.34 (0.49)	175 (175) 150 (225)
	- (-)		- (-)	- (-)	- (-)		
7	W Jefferson St/E Jefferson St & N Washington St	Control Type		Signal			
		Overall		8.8 (13.2)	A (B)	0.48 (0.37)	- (-)
		Eastbound	left-through-right	10.5 (9.2)	B (A)	0.47 (0.35)	250 (225)
			through	8.8 (9.3)	A (A)	0.30 (0.37)	175 (200)
		Westbound	right	7.4 (7.5)	A (A)	0.07 (0.10)	50 (75)
			right	0.0 (0.0)	A (A)	0.02 (0.00)	25 (0)
		Northbound	left	6.2 (36.8)	A (D)	0.50 (0.37)	250 (175)
			right	0.1 (70.2)	A (E)	0.02 (0.03)	25 (50)
			left-right	- (-)	- (-)	- (-)	- (-)
8	Garage/Gibbs St & E Middle Ln	Control Type		Stop (2-Way)			
		Eastbound	left-through-right	3.6 (1.0)	A (A)	0.08 (0.02)	50 (25)
		Westbound	left-through-right	0.6 (0.4)	A (A)	0.01 (0.01)	25 (100)
		Northbound	left-through-right	13.2 (12.1)	B (B)	0.10 (0.10)	75 (75)
9	Maryland Ave & E Middle Ln	Control Type		Signal			
		Overall		15.9 (16.8)	B (B)	0.35 (0.48)	- (-)
		Eastbound	left-through-right	15.4 (11.2)	B (B)	0.13 (0.22)	125 (150)
			left-through	- (-)	- (-)	- (-)	- (-)
			right	- (-)	- (-)	- (-)	- (-)
		Westbound	left-through-right	7.1 (9.0)	A (A)	0.33 (0.43)	200 (200)
			left-through	30.7 (31.5)	C (C)	0.41 (0.53)	175 (200)
		Northbound	right	27.1 (25.6)	C (C)	0.07 (0.09)	100 (100)
			left-through-right	29.5 (32.9)	C (C)	0.28 (0.59)	125 (225)
10	Helen Heneghan Way & E Middle Ln	Control Type		Stop (T Int)			
		Eastbound	through-right	0.0 (0.0)	A (A)	0.12 (0.19)	25 (25)
		Westbound	left-through	1.8 (0.3)	A (A)	0.04 (0.00)	75 (25)
		Northbound	left-right	10.6 (16.2)	B (C)	0.10 (0.40)	75 (125)
11	Monroe St & E Middle Ln	Control Type		Stop (T Int)			
		Eastbound	through-right	0.0 (0.0)	A (A)	0.14 (0.24)	50 (175)
		Westbound	through	0.0 (0.0)	A (A)	0.17 (0.16)	75 (25)
		Northbound	right	9.7 (11.4)	A (B)	0.07 (0.18)	75 (200)
12	MD 355 & E Middle Ln/Park Rd	Control Type		Signal			
		Overall		41.6 (45.7)	D (D)	0.81 (0.80)	- (-)
		Eastbound	through	67.7 (64.4)	E (E)	0.68 (0.80)	175 (175)
			right	54.9 (34.9)	D (C)	0.37 (0.30)	100 (100)
		Westbound	left	70.0 (49.1)	E (D)	0.87 (0.67)	225 (200)
			through	56.0 (43.1)	E (D)	0.76 (0.50)	675 (325)
		Northbound	right	37.4 (27.6)	D (C)	0.32 (0.23)	400 (100)
			left through-right	210.7 (58.4) 21.5 (39.5)	F (E) C (D)	1.17 (0.51) 0.37 (0.79)	375 (350) 400 (525)
		Southbound	left	69.2 (74.9)	E (E)	0.38 (0.80)	275 (375)
			through-right	28.6 (42.7)	C (D)	0.70 (0.75)	525 (500)



## 4. Design Alternatives and Performance Metrics

An existing conditions base map of the existing roadway conditions was developed, prior to creating conceptual alternatives. The base map was created in CAD from City-level GIS shape files of roadway edges and building footprints, supplementing these data, with measurements collecting during a thorough field visit. The base map contained all curb-to-curb widths, turn lanes, pavement markings, crosswalks, sidewalk, curb and gutter, and streetscape features (e.g. bus stops, tree wells, and pedestrian lighting, existing curb cuts, and driveways).

Alternative concepts were developed in consultation with City staff, based on a review the ULI *Technical Assistance Panel Report – Rockville Town Center: Strengthening Its Vitality* (July 9-10, 2019) and a summary of field survey observations. Two options were developed for E. East Middle Lane and three options were developed for North Washington Street. The concepts applied Complete Streets principles for retrofitting both roadways with high quality bicycle facilities and/or curbside parking in order to achieve a calmed and pedestrian-oriented and business-friendly Town Center core. The concepts were overlaid on the existing base map to illustrate before and after conditions. Where bike lanes are incorporated, the concepts varied in quality from traditional lanes to buffered lanes to fully protected lanes, with each option having tradeoffs between safety and pavement width required. When developing and iterating the design concepts, some of the critical design requirements included:

- Maintaining driveway/intersection Sight Distance;
- Minimizing Door Zones and their impacts to bike lanes;
- Retaining curb-side Bus Stops; and
- Minimizing traffic impacts
- Reducing the number of travel lanes needed to cross the study area streets.
- Utilizing only existing road-bed (i.e. no changes behind curbs), such that the design can be implemented during a typical roadway resurfacing.

The two concepts for East Middle Lane incorporate repurposing the two travel lanes and a bike lane, in each direction into:

- **Option A:** One travel Lane, Buffered curbside bike lanes, and a parking lane in between the travel lane and the bike lane buffer. See Figure 4 for a typical cross-section view.
- **Option B:** One travel Lane, curbside parking lane, and a bike lane with door zone in between the travel lane and the parking lane. See Figure 5 for a typical cross-section view.

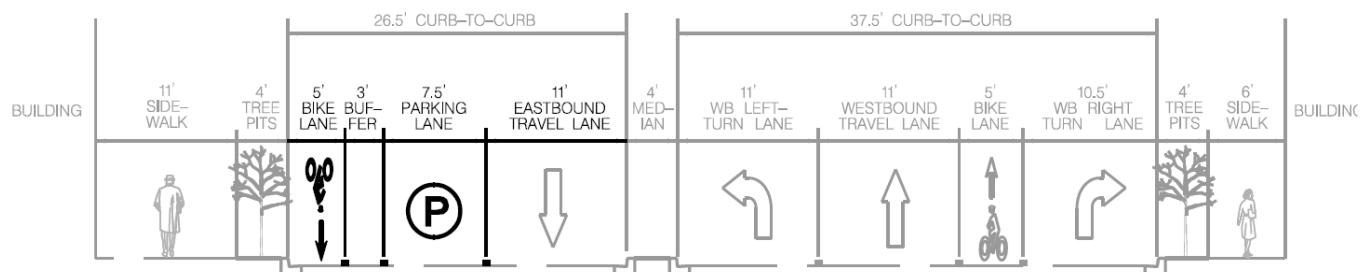


Figure 4: East Middle Lane Option A

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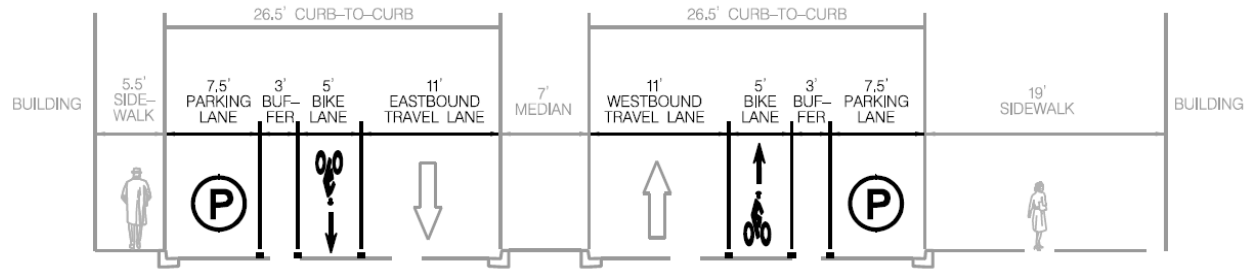


Figure 5: East Middle Lane Option B

Note, that an option with only bike lanes or with only a parking lane was not considered, as the remaining travelway width would result in an extra-wide travel lane, which would be expected to lead to speeding. Accordingly, both options for East Middle Lane incorporated on-street parking and on-road bike lanes. Figure 6 and Figure 7 show renderings, illustrating how Option A and Option B, respectively, would look along a portion of East Middle Lane.



Figure 6: Rendering of Option A for East Middle Lane

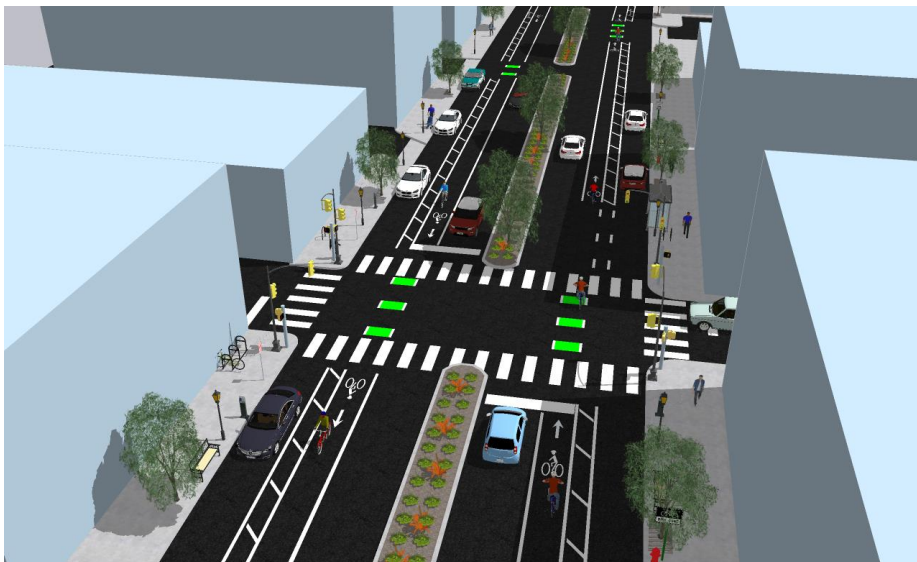


Figure 7: Rendering of Option B for East Middle Lane

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For North Washington Street, three alternatives were developed, all with reduction in the number of travel lanes, each with varying degrees of parking and bike lane quality.

- **Option A:** One travel lane in each direction, left-turn lanes at most intersections, and buffered curbside bike lanes. Minimal parking is provided in this option. See Figure 8 for a typical cross-section view.
- **Option B:** One travel lane in each direction, a parking lane along the northbound direction, and a two-way cycletrack curbside along the northbound approach. A buffer zone / door zone separates the two-way bike lanes from the parking lane. Turn lanes are introduced at select locations at the expense of parking. See Figure 9 for a typical cross-section view.
- **Option C:** One travel lane in each direction, buffered bike lanes on the northbound and southbound sides of the road, and a parking lane in the northbound direction. The parking lane and the northbound bike lane are separated with a buffer/door zone. See Figure 10 for a typical cross-section view.

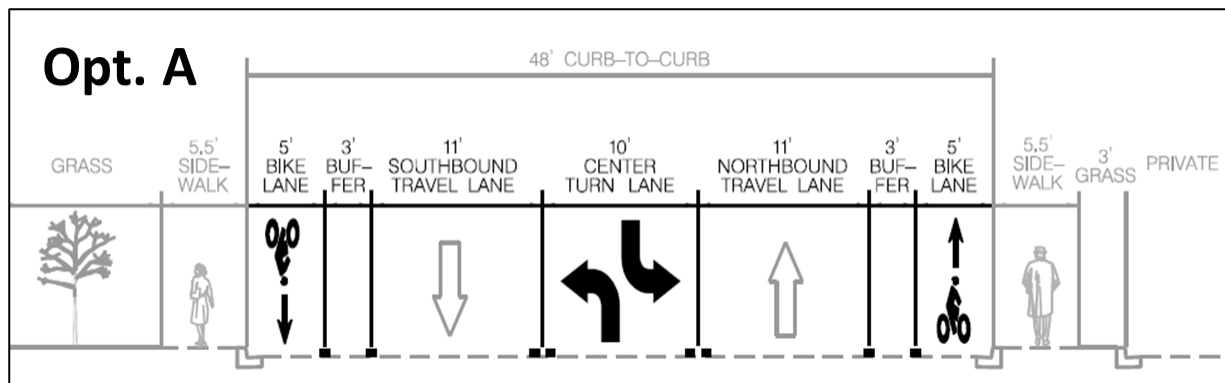


Figure 8: North Washington Street, Option A

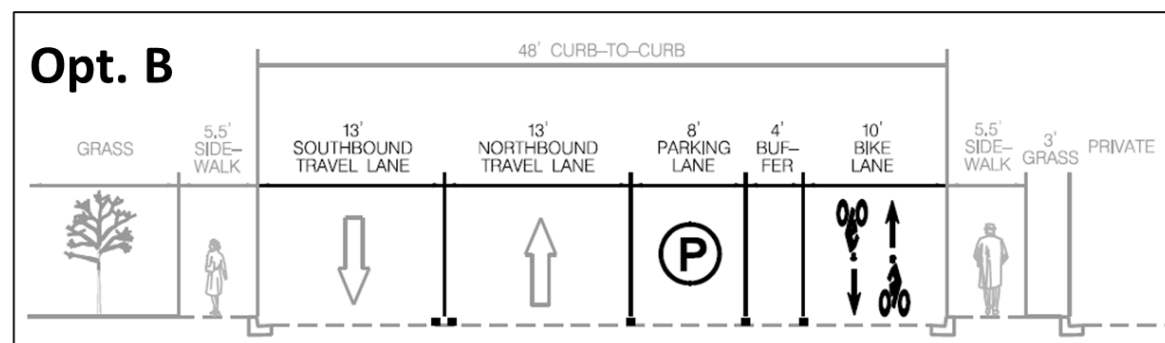


Figure 9: North Washington Street, Option B

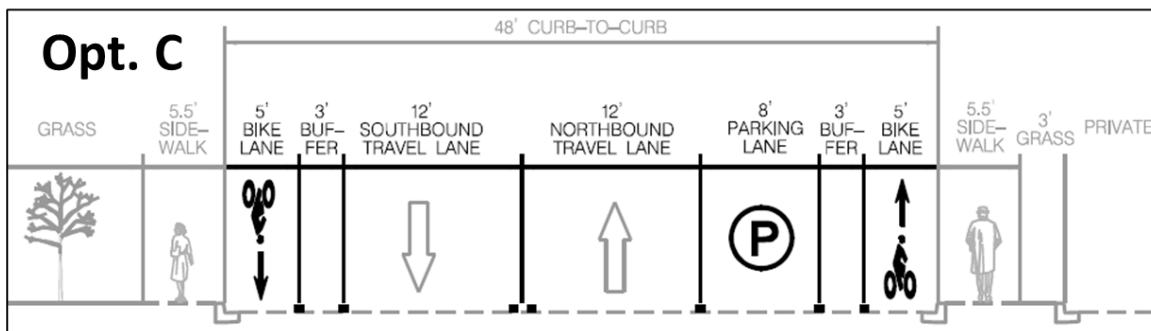


Figure 10: North Washington Street, Option C



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To provide a better vision of each options renderings were developed for each option as shown in the following figures.

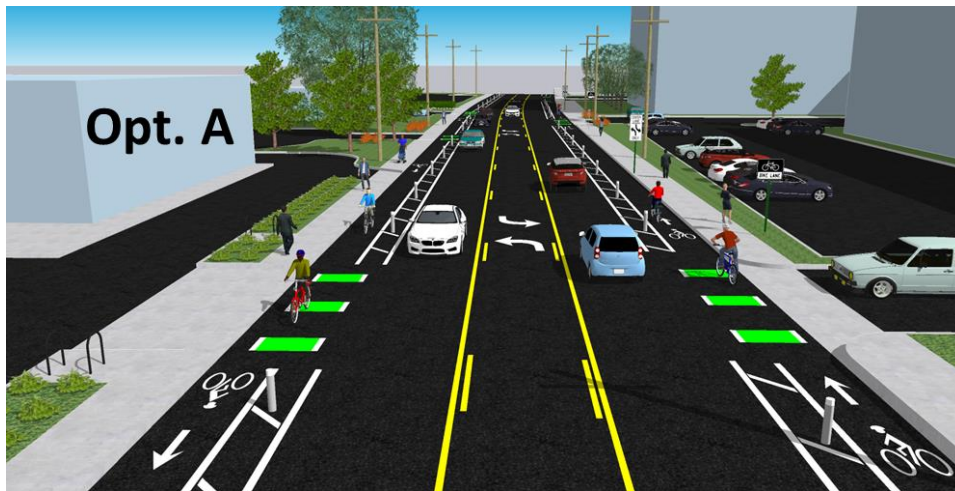


Figure 11: Rendering of North Washington Street, Option A, with flexpost separation



Figure 12: Rendering of North Washington Street, Option B, with pre-cast Curb Separation

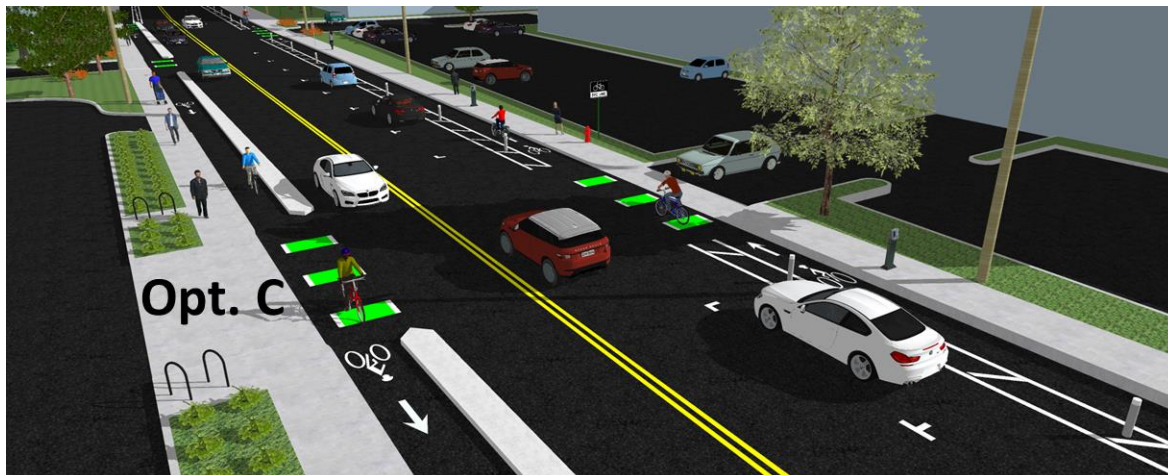


Figure 13: Rendering of North Washington Street, Option C, with flexpost & pre-cast curbs

The typical sections for each option were drawn in planview and are shown in Appendix A. These CAD

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drawings reflect the final alternative concepts, after feedback from City Staff.

### 5. Alternatives Analysis

In conjunction with City Staff, several measures of effectiveness (MOEs) were developed to evaluate the and compare the alternatives. These performance metrics include:

- Changes to Pedestrian Safety
- Improvement in Biking Facilities
- Amount of new Curbside Parking / Loading
- Impacts to bus loading
- Traffic Impacts

#### A. Pedestrian Safety

Because there is a general reduction in number of travel lanes for both North Washington Street and for East Middle Lane, pedestrians are expected to benefit directly in two ways. Primarily, it is expected to that overall traffic – if it remains the same – will travel at a somewhat slower speed. This will increase the visibility between drivers and pedestrians waiting to cross either street. Secondly, there are several uncontrolled (i.e. with no traffic signal) intersections that allow pedestrians to cross either North Washington Street or East Middle Lane:

- North Washington Street at Wood Lane
- East Middle Lane at Gibbs Street
- East Middle Lane at Helen Heneghan Way
- East Middle Lane at Monroe Street

At each of these intersections, the reduction in through lanes from 2 to 1 resulting in the elimination of the multiple lane threat – wherein a car, stopped to let a pedestrian cross midblock, obscures the vision of an adjacent driver, resulting in an increased possibility of a collision (see Figure 14). Removal of one of the through lanes in each travel direction eliminates this common crash type. Additionally, these uncontrolled crosswalk locations are expected to restrict any proposed curbside parking for approximately 30 feet on either side to insure visibility between crossing peds and drivers.

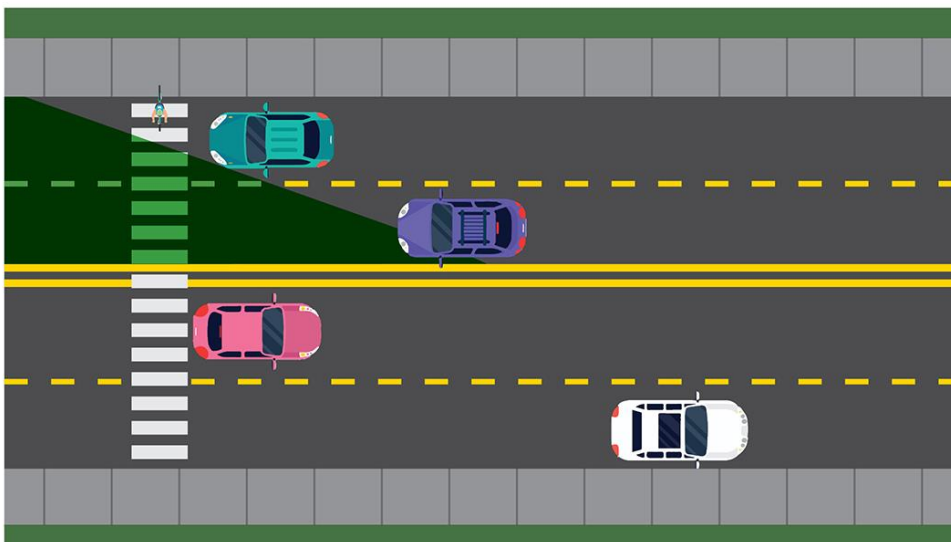


Figure 14: Multiple Lane Threat Depiction

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### B. Cycling Improvements

All options shown provide improved biking facilities over the existing conditions. For example, for East Middle Lane, option A fully protects the proposed bike lanes behind parked vehicles, while option B provides a door zone buffer between the bike lane and the parking lane. While option A provided superior protection than Option B, both are better than the existing bike lanes along East Middle Lane, which are unbuffered from the adjacent travel lane. Because of the protection provided by the parked vehicle lane, Option A is expected to induce a far greater percentage of cyclists to ride to Rockville Town Center than Option B.

Along North Washington Street, which currently has no bike facilities, each option has varying level of cyclists safety. For Option A, cyclists are provided bike lanes, buffered from the travel lanes. The buffers provide not only horizontal spacing from travel lanes, but also an opportunity to install vertical protection – like flexible posts or prefabricated concrete curbs. There are several commercial products that can be installed into the asphalt roadway on a semi-permanent basis, using adhesive or lag bolts. Buffered bike lanes are safer than traditional bike lanes, but lanes with vertical protection provide the greatest safety benefit. To that end, North Washington Street's Option B utilizes a full-time parking lane as vertical protection between the cycling lanes and general travel lanes. The bike lanes are consolidated along one side of North Washington Street, so that both directions are protected using a full-time parking lane. For option C, the northbound bike lane is protected from the travel lane via a full-time parking lane. In this option, the southbound bike lane is buffered from the travel lane with hatch marks, and the potential for additional vertical protection using flexible posts or other off-the-shelf products designed for this application.

### C. Buses

Multiple bus stops line East Middle Lane and North Washington Street. Bus riders board and alight curbside. No bus stop changes are proposed in any option for East Middle Lane or North Washington Street; all existing curbside stops are to remain as is. Along constrained street, standard design for bus stops through bike lanes is shown in Figure 15, where the solid lines of a bike lane are shown as dashed to allow buses to enter the space for curbside boarding and alighting,

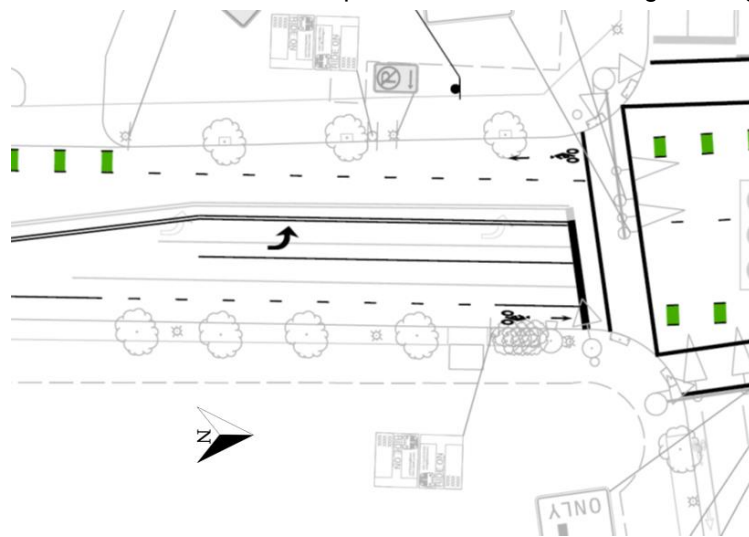


Figure 15: Bike Lane through a Bus Stop, northbound Washington St at Beall Ave

### D. Curbside Parking

As noted previously, East Middle Lane has generally the same amount of new curbside park, irrespective

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of the proposed option. For North Washington Street, the amount of parking varies between Options A through C, with Option A providing the fewest spaces, Option C providing the most. Option B provides a little less than Option C. Curbside parking was initially proposed using Montgomery County's guidance for urban on-street parking – specifically, prohibiting it 20 feet from an intersection and 5 from a driveway – in order to provide sight distance. Subsequent discussions with City Staff yielded a desire for more generous curbside restrictions from intersections and driveways. Note, that sight distance guidelines from AASHTO<sup>1</sup> for left turn and right turns are 280 feet and 240 feet, respectively for left and right turn movements from side streets onto 25 mph two-lane roadways. For 30 mph two-lane roadways, the left turn and right turn sight distance guidelines increase to 335 feet and 290 feet, respectively. Applying these sight distance standards at the driveways and uncontrolled side streets along North Washington Street and East Middle Lane would eliminate much of the potential curbside parking available, stifling any benefit to adjacent retail establishments. Accordingly, based on discussions with staff, curbside parking was restricted 30 feet from driveways and 60 feet from intersections. A further review of this parking lane layout by City Staff yielded a handful of additional locations where additional curbside restrictions were applied; these were at known areas of complaints or where sight distance problems were anticipated. Based on the revised design for each option, the following table shows the proposed new parking along East Middle Lane and along North Washington Street.

Table 3: Curbside Parking Space, by Option

Option	Street	New Curbside Parking Spaces
Option A	North Washington Street	0
	East Middle Lane	29
Option B	North Washington Street	13
	East Middle Lane	33
Option C	North Washington Street	16
	East Middle Lane	N/A

## E. Economic Impacts

Recent studies<sup>2</sup> related to the impact of bike lanes in urban commercial corridors have shown that they provide a neutral to positive economic impact. Additionally, providing curbside parking and loading/delivery spaces in front of ground floor retail establishments is expected to generate additional customers due to increased access. Finally, by designing a less intimidating street for walkers, streetside retail is expected to benefit by greater engagement from the nearby residential developments.

## F. Traffic Impacts

To perform a capacity analysis of the proposed road diet conditions, the existing AM and PM peak Synchro models were updated with the proposed geometry and lane configurations to reflect the three road diet alternatives. Because the typical section for the general-purpose travel lanes is similar in all options, traffic impacts across the build alternatives are largely the same; the only differences occur at select intersections that include/omit dedicated turn pockets. No changes to turning movement volumes were assumed under the three “build” conditions. Existing signal timings and phasing were maintained in all build conditions with the exception of select intersections under Alternative B, which required protected-only southbound left turn

<sup>1</sup> American Association of State Highway Transportation Officials (AASHTO) *A policy on Geometric Design of Highways and Streets*. 6<sup>th</sup> ed. 2011.

<sup>2</sup> Portland State University. *Bike lanes provide positive economic impact*. ScienceDaily, 22 April 2020. [www.sciencedaily.com/releases/2020/04/200422151318.htm](http://www.sciencedaily.com/releases/2020/04/200422151318.htm)



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phases for movements conflicting with the two-way cycle track<sup>3</sup>.

Preliminary traffic modeling showed that continuing the road diet configuration up to the already-failing intersections of MD 355 at North Washington Street and MD 355 at East Middle Lane was infeasible due to significant degradations in operations which created queuing spillbacks throughout the network. Due to these initial findings, the concepts for the three build alternatives were altered to pull back the proposed road diet limits by one block and to maintain existing conditions at the approach block of eastbound East Middle Lane at MD 355 and Northbound North Washington Street at MD 355. Additionally, based on recommendations from City Staff, the existing westbound approach of East Middle Lane at North Washington Street was to remain as is for all options. Finally, per the recommendations of City Staff, southbound left-turn lanes were to be incorporated along North Washington Street at East Middle Lane, Dawson Ave, and Beall Ave. Table 4 compares the HCM and queuing analysis performed under existing traffic conditions to the three build alternatives after the limits of the road diet were adjusted, as discussed previously.

The results of the capacity analysis reveal that operations along the corridor will remain largely unchanged from Existing Conditions under build options A, B, and C with the majority of study intersections operating at acceptable LOS and no further degradation of already failing movements. For example, the two intersections of MD 355 at North Washington Street and East Middle Lane have failing turn movements; however, by ending the road diet one block short of these intersections, the proposed road diet improvements do not result in worsening conditions. Additionally, by retaining southbound left turn movements at Beall Ave and at East Middle Lane, primary turn movements that would otherwise block through vehicles are left unchanged in dedicated turn lanes.

The three build alternatives all show significant impacts in both the AM and PM peak hours on the southbound approach of North Washington Street at Montgomery Avenue due to an initial design proposal to eliminate the southbound right turn lane in order to provide buffered bike lanes. With the lane reduction increasing delays by approximately 100 sec/veh, the concepts were modified to maintain the existing lane configuration in an effort to mitigate excessive delays. This modification came at the expense of providing buffers for bike lanes along the segment of North Washington Street from East Middle Lane to Montgomery Ave. Option A, provides two-way left-turn lane along North Washington Street in an area of the street with several driveways and sides streets; by providing this space for left-turns, motorists traveling through are not impeded by stopped turning vehicles. Providing these turn lanes keep traffic flowing along North Washington Street in this option – at the expense of providing curbside parking.

Table 5 shows the results of the modified concepts at North Washington Street and Montgomery Avenue. With the modifications, it is anticipated that all three build alternatives would adequately provide sufficient vehicular capacity across the study area. Additionally, because the delay and queuing does not significantly change over the existing conditions, diverging of vehicle traffic onto MD 355 or other major arterials is not expected. Rather, it is likely that a significant portion of traffic along both roads is currently diverging *from* MD 355 and MD 28, using them as short-cuts. Detailed HCM and queuing reports for the build conditions

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<sup>3</sup> The southbound left-turning movement for a vehicle cannot conflict with a southbound traveling cyclist; these two movements must be protected from each other, because the southbound cyclists will not be visible to a southbound left-turning vehicle, unless the left turn occurs very slowly (e.g. into a driveway or alley).

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are provided in Appendix B.

## Recommended Speed Limit

The speed limit for North Washington is recommended to be reduced from 30 mph to 25 mph to match East Middle Lane. Reducing the speed limit will complement the redesign of the roadway as a more pedestrian-friendly and bike friendly corridor.

Table 4: Build Capacity Analysis

Node	Intersection	Approach	Movement	Existing				Alternative A				Alternative B				Alternative C			
				AM (PM)				AM (PM)				AM (PM)				AM (PM)			
				Delay	LOS	V/C	Queue (ft)	Delay	LOS	V/C	Queue (ft)	Delay	LOS	V/C	Queue (ft)	Delay	LOS	V/C	Queue (ft)
1	MD 355 & N Washington St/Shopping Ent	Control Type		Signal				Signal				Signal				Signal			
		Overall		42.9 (43.5)	D (D)	0.89 (0.83)	- (-)	42.9 (43.5)	D (D)	0.89 (0.83)	- (-)	42.7 (43.6)	D (D)	0.89 (0.83)	- (-)	42.9 (43.5)	D (D)	0.89 (0.83)	- (-)
		Eastbound	left	73.0 (86.4)	E (F)	0.64 (0.92)	75 (325)	73.0 (86.4)	E (F)	0.64 (0.92)	125 (325)	73.0 (86.4)	E (F)	0.64 (0.92)	125 (325)	73.0 (86.4)	E (F)	0.64 (0.92)	125 (325)
			left-through-right	73.0 (86.3)	E (F)	0.64 (0.92)	100 (325)	73.0 (86.3)	E (F)	0.64 (0.92)	150 (325)	73.0 (86.3)	E (F)	0.64 (0.92)	150 (325)	73.0 (86.3)	E (F)	0.64 (0.92)	150 (325)
		Westbound	left	70.5 (69.2)	E (E)	0.38 (0.56)	50 (150)	70.5 (69.2)	E (E)	0.38 (0.56)	75 (150)	70.5 (69.2)	E (E)	0.38 (0.56)	75 (150)	70.5 (69.2)	E (E)	0.38 (0.56)	75 (150)
			through	70.1 (74.5)	E (E)	0.36 (0.65)	50 (175)	70.1 (74.5)	E (E)	0.36 (0.65)	75 (175)	70.1 (74.5)	E (E)	0.36 (0.65)	75 (175)	70.1 (74.5)	E (E)	0.36 (0.65)	75 (175)
		Northbound	right	66.7 (62.0)	E (E)	0.01 (0.02)	25 (50)	66.7 (62.0)	E (E)	0.01 (0.02)	25 (50)	66.7 (62.0)	E (E)	0.01 (0.02)	25 (50)	66.7 (62.0)	E (E)	0.01 (0.02)	25 (50)
			left	49.7 (27.4)	D (C)	0.59 (0.50)	75 (250)	49.7 (27.4)	D (C)	0.59 (0.50)	125 (275)	49.7 (27.4)	D (C)	0.59 (0.50)	125 (275)	49.7 (27.4)	D (C)	0.59 (0.50)	125 (250)
		Southbound	through-right	12.9 (37.0)	B (D)	0.35 (0.84)	125 (500)	12.9 (37.0)	B (D)	0.35 (0.84)	200 (475)	12.9 (37.0)	B (D)	0.35 (0.84)	200 (500)	12.9 (37.0)	B (D)	0.35 (0.84)	200 (500)
			left	9.7 (36.0)	A (D)	0.13 (0.62)	125 (200)	9.7 (36.0)	A (D)	0.13 (0.62)	125 (200)	9.7 (36.0)	A (D)	0.13 (0.62)	125 (200)	9.7 (36.0)	A (D)	0.13 (0.62)	100 (200)
2	N Washington St & Martins Ln/Wells Fargo	Control Type		Signal				Signal				Signal				Signal			
		Overall		8.4 (13.5)	A (B)	0.34 (0.52)	- (-)	10.0 (15.9)	B (B)	0.53 (0.50)	- (-)	9.6 (15.7)	A (B)	0.50 (0.51)	- (-)	10.0 (16.1)	B (B)	0.53 (0.50)	- (-)
		Eastbound	left-through-right	45.1 (42.9)	D (D)	0.32 (0.70)	50 (150)	45.1 (42.9)	D (D)	0.32 (0.70)	50 (175)	45.1 (42.9)	D (D)	0.32 (0.70)	50 (150)	45.1 (42.9)	D (D)	0.32 (0.70)	50 (175)
			right	37.0 (27.8)	D (C)	0.07 (0.02)	75 (50)	36.2 (23.2)	D (C)	0.08 (0.03)	100 (50)	37.0 (27.8)	D (C)	0.07 (0.02)	75 (50)	36.2 (23.2)	D (C)	0.08 (0.03)	75 (50)
		Westbound	left-through-right	46.1 (30.6)	D (C)	0.36 (0.06)	50 (50)	46.1 (30.6)	D (C)	0.36 (0.06)	50 (50)	46.1 (30.6)	D (C)	0.36 (0.06)	50 (50)	46.1 (30.6)	D (C)	0.36 (0.06)	50 (50)
			left-through-right	0.3 (8.8)	A (A)	0.15 (0.44)	100 (200)	- (-)	- (-)	- (-)	- (-)	0.8 (12.7)	A (B)	0.15 (0.43)	75 (175)	- (-)	- (-)	- (-)	- (-)
		Northbound	left	- (-)	- (-)	- (-)	- (-)	0.9 (10.7)	A (B)	0.19 (0.35)	75 (150)	- (-)	- (-)	- (-)	- (-)	0.9 (11.0)	A (B)	0.19 (0.35)	75 (125)
			through-right	- (-)	- (-)	- (-)	- (-)	0.4 (10.8)	A (B)	0.13 (0.37)	25 (225)	- (-)	- (-)	- (-)	- (-)	0.4 (11.2)	A (B)	0.13 (0.37)	25 (200)
		Southbound	left-through-right	4.8 (8.5)	A (A)	0.35 (0.27)	125 (125)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
			left	- (-)	- (-)	- (-)	- (-)	7.8 (13.7)	A (A)	0.57 (0.44)	175 (175)	6.9 (9.9)	A (A)	0.53 (0.38)	175 (175)	7.8 (13.7)	A (A)	0.57 (0.44)	175 (175)
3	N Washington St & Dawson Ave	Control Type		Signal				Signal				Signal				Signal			
		Overall		4.6 (4.9)	A (D)	0.31 (0.27)	- (-)	5.8 (5.1)	A (A)	0.53 (0.44)	- (-)	6.6 (6.4)	A (B)	0.56 (0.49)	- (-)	5.9 (5.0)	A (A)	0.53 (0.44)	- (-)
		Eastbound	left-through-right	41.9 (38.4)	D (D)	0.18 (0.14)	50 (75)	41.9 (38.4)	D (D)	0.18 (0.14)	50 (50)	41.9 (38.4)	D (D)	0.18 (0.14)	50 (50)	41.9 (38.4)	D (D)	0.18 (0.14)	50 (50)
			right	42.6 (43.0)	D (D)	0.32 (0.55)	50 (100)	42.6 (43.0)	D (D)	0.32 (0.55)	50 (75)	42.6 (43.0)	D (D)	0.32 (0.55)	50 (100)	42.6 (43.0)	D (D)	0.32 (0.55)	50 (100)
		Westbound	left-through-right	41.1 (37.9)	D (D)	0.01 (0.02)	50 (50)	41.1 (37.9)	D (D)	0.01 (0.02)	50 (50)	41.1 (37.9)	D (D)	0.01 (0.02)	50 (50)	41.1 (37.9)	D (D)	0.01 (0.02)	50 (50)
			right	0.8 (0.7)	A (A)	0.13 (0.24)	50 (50)	- (-)	- (-)	- (-)	- (-)	8.0 (2.1)	A (A)	0.27 (0.50)	150 (75)	- (-)	- (-)	- (-)	- (-)
		Northbound	left	- (-)	- (-)	- (-)	- (-)	1.4 (0.5)	A (A)	0.02 (0.02)	25 (25)	- (-)	- (-)	- (-)	- (-)	1.7 (0.5)	A (A)	0.02 (0.02)	25 (25)
			through-right	- (-)	- (-)	- (-)	- (-)	1.5 (1.2)	A (A)	0.23 (0.43)	75 (50)	- (-)	- (-)	- (-)	- (-)	1.8 (1.1)	A (A)	0.23 (0.43)	100 (50)
		Southbound	left-through-right	3.6 (1.4)	A (A)	0.31 (0.22)	125 (100)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
			left	- (-)	- (-)	- (-)	- (-)	1.0 (0.6)	A (A)	0.02 (0.03)	25 (25)	53.8 (63.6)	D (E)	0.29 (0.29)	50 (50)	1.0 (0.6)	A (A)	0.02 (0.03)	25 (25)
4	N Washington St & Beall Ave	Control Type		Signal				Signal				Signal				Signal			
		Overall		15.8 (17.7)	B (B)	0.59 (0.61)	- (-)	16.2 (24.7)	B (C)	0.59 (0.73)	- (-)	23.4 (29.6)	C (C)	0.62 (0.82)	- (-)	17.3 (26.2)	B (C)	0.60 (0.79)	- (-)
		Eastbound	left	20.9 (24.8)	C (C)	0.12 (0.16)	75 (75)	20.9 (24.8)	C (C)	0.12 (0.16)	75 (50)	20.9 (24.8)	C (C)	0.12 (0.16)	75 (50)	20.9 (24.8)	C (C)	0.12 (0.16)	75 (50)
			through-right	23.2 (24.4)	C (C)	0.36 (0.19)	175 (125)	23.2 (24.4)	C (C)	0.36 (0.19)	175 (100)	22.4 (24.4)	C (C)	0.36 (0.19)	175 (125)	23.2 (24.4)	C (C)	0.36 (0.19)	175 (100)
		Westbound	left-through-right	27.7 (51.7)	C (D)	0.35 (0.82)	150 (250)	27.7 (51.7)	C (D)	0.35 (0.82)	125 (225)	27.7 (51.7)	C (D)	0.35 (0.82)	150 (300)	27.7 (51.7)	C (D)	0.35 (0.82)	125 (250)
			right	17.0 (21.8)	B (C)	0.02 (0.17)	50 (125)	17.0 (21.8)	B (C)	0.02 (0.05)	50 (75)	15.6 (19.1)	B (B)	0.02 (0.06)	50 (75)	17.0 (21.8)	B (C)	0.02 (0.05)	50 (75)
		Northbound	left	16.2 (7.2)	B (A)	0.12 (0.13)	50 (75)	17.0 (16.4)	B (B)	0.12 (0.13)	75 (100)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
			through-right	17.0 (6.6)	B (A)	0.31 (0.37)	100 (150)	22.4 (21.6)	C (C)	0.60 (0.71)	175 (225)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		Southbound	left-through-right	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	30.5 (31.7)	C (C)	0.75 (0.89)	300 (325)	26.0 (26.0)	C (C)	0.70 (0.82)	275 (350)
			left	6.0 (9.3)	A (A)	0.33 (0.29)	100 (100)	6.3 (18.4)	A (B)	0.40 (0.39)	125 (175)	47.7 (48.2)	D (D)	0.75 (0.67)	175 (150)	6.5 (17.2)	A (B)	0.38 (0.32)	100 (150)
5	N Washington St & W Middle Ln/E Middle Ln	Control Type		Signal				Signal				Signal				Signal			
		Overall		20.5 (22.2)	C (C)	0.39 (0.51)	- (-)	21.7 (27.5)	C (C)	0.56 (0.72)	- (-)	21.1 (26.2)	C (C)	0.53 (0.69)	- (-)	21.7 (27.5)	C (C)	0.56 (0.72)	- (-)
		Eastbound	left	29.2 (28.3)	C (C)	0.02 (0.06)	25 (50)	29.2 (28.3)	C (C)	0.02 (0.06)	25 (50)	29.2 (28.3)	C (C)	0.02 (0.06)	25 (50)	29.2 (28.3)	C (C)	0.02 (0.06)	25 (50)
			through-right	30.2 (29.1)	C (C)	0.13 (0.16)	75 (100)	30.2 (29.1)	C (C)	0.13 (0.16)	75 (100)	30.2 (29.1)	C (C)	0.13 (0.16)	75 (100)	30.2 (29.1)	C (C)	0.13 (0.16)	75 (100)
		Westbound	left	29.4 (27.6)	C (C)	0.50 (0.55)	150 (175)	28.6 (32.8)	C (C)	0.50 (0.55)	150 (175)	28.6 (32.8)	C (C)	0.50 (0.55)	150 (175)	28.6 (32.8)	C (C)	0.50 (0.55)	150 (150)
			through	25.5 (24.4)	C (C)	0.25 (0.40)	100 (225)	25.4 (29.9)	C (C)	0.25 (0.40)	100 (225)	25.4 (29.9)	C (C)	0.25 (0.40)	125 (225)	25.4 (29.9)	C (C)	0.25 (0.40)	125 (250)
		Northbound	right	30.7 (40.1)	C (D)	0.31 (0.73)	125 (200)	28.4 (37.4)	C (D)	0.31 (0.73)	100 (200)	28.4 (37.4)	C (D)	0.31 (0.73)	100 (200)	28.4 (37.4)	C (D)	0.31 (0.73)	100 (225)
			left	13.6 (20.5)	B (C)	0.05 (0.07)	50 (75)	- (-)	- (-)	- (-)	- (-)	13.4 (20.3)	B (C)	0.05 (0.07)	75 (100)	- (-)	- (-)	- (-)	- (-)
		Southbound	left-through-right	17.5 (23.5)	B (C)	0.23 (0.38)	200 (275)	- (-)	- (-)	- (-)	- (-)	19.7 (32.8)	B (C)	0.49 (0.74)	325 (325)	- (-)	- (-)	- (-)	- (-)
			left	48.4 (33.4)	D (C)	0.70 (0.39)	150 (125)	47.5 (35.8)	D (D)	0.70 (0.39)	150 (125)	48.3 (35.3)	D (D)	0.70 (0.39)	150 (125)	47.5 (35.8)	D (D)	0.70 (0.39)	150 (125)
6	N Washington St & W Montgomery Ave/Courthouse Rd	Control Type		Signal				Signal				Signal				Signal			
		Overall		20.7 (21.7)	C (C)	0.47 (0.53)	- (-)	77.5 (77.9)	E (E)	0.68 (0.80)	- (-)	77.1 (78.2)	E (E)	0.68 (0.80)	- (-)	77.6 (77.9)	E (E)	0.68 (0.80)	- (-)
		Eastbound	left	16.4 (14.1)	B (B)	0.48 (0.52)	175 (150)	16.5 (14.4)	B (B)	0.49 (0.53)	575 (575)	16.5 (14.4)	B (B)	0.49 (0.53)	575 (575)	16.5 (14.4)	B (B)	0.49 (0.53)	575 (575)
			through-right	14.7 (11.9)	B (B)	0.11 (0.10)	550 (600)	14.7 (11.9)	B (B)	0.11 (0.10)	175 (200)	14.7 (11.9)	B (B)	0.11 (0.10)	175 (200)	14.7 (11.9)	B (B)	0.11 (0.10)	175 (200)
		Westbound	left-through-right	35.0 (32.1)	C (C)	0.19 (0.25)	125 (150)	35.0 (32.1)	C (C)	0.19 (0.25)	150 (325)	35.0 (32.1)	C (C)	0.19 (0.25)	150 (325)	35.0 (32.1)	C (C)	0.19 (0.25)	150 (325)
			right	26.5 (24.6)	C (C)	0.30 (0.24)	100 (75)	39.2 (31.8)	D (C)	0.58 (0.60)	125 (150)	38.6 (31.8)	D (C)	0.58 (0.60)	125 (150)	39.4 (31.8)	D (C)	0.58 (0.60)	125 (150)
		Northbound	left	30.3 (30.1)	C (C)	0.53 (0.42)	175 (175)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
			through-right	13.0 (12.29)	B (C)	0.34 (0.49)	150 (225)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		Southbound	right	- (-)	- (-)	- (-)	- (-)	135.2 (146.3)	F (F)	1.19 (1.23)	300 (300)	134.5 (147.0)	F (F)	1.19 (1.23)	300 (300)	135.3 (146.3)	F (F)	1.19 (1.23)	300 (300)
			through-right	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
7	W Jefferson St/E Jefferson St & N Washington St	Control Type		Signal				Signal				Signal				Signal			
		Overall		8.8 (13.2)	A (B)	0.48 (0.37)	- (-)	9.1 (12.7)	A (B)	0.50 (0.39)	- (-)	10.5 (13.3)	C (B)	0.47 (0.37)	- (-)	8.8 (13.2)	A (B)	0.48 (0.37)	- (-)
		Eastbound	left-through-right	15.0 (9.2)	B (A)	0.47 (0.35)	250 (225)	10.7 (9.2)	B (A)	0.47 (0.35)	250 (225)	12.8 (9.2)	C (A)	0.50 (0.35)	250 (200)	15.0 (9.2)	B (A)	0.47 (0.35)	250 (225)
			through	8.8 (9.3)	A (A)	0.30 (0.37)	175 (200)	9.0 (9.3)	A (A)	0.30 (0.37)	200 (275)	10.7 (9.3)	C (A)	0.32 (0.37)	200 (200)	8.8 (9.3)	A (A)	0.30 (0.37)	175 (200)
		Westbound	right	7.4 (7.5)	A (A)	0.07 (0.10)	50 (75)	7.5 (7.5)	A (A)	0.07 (0.10)	50 (225)	8.0 (7.5)	B (A)	0.07 (0.10)	50 (150)	7.4 (7.5)	A (A)	0.07 (0.10)	50 (50)
			left	0.0 (0.0)	A (A)	0.02 (0.00)	25 (0)	0.0 (0.0)	A (A)	0.02 (0.00)	25 (0)	0.0 (0.0)	A (A)	0.02 (0.00)	0 (0)	0.0 (0.0)	A (A)	0.02 (0.00)	25 (0)
		Northbound	right	6.2 (36.8)	A (D)	0.50 (0.37)	250 (175)	- (-)	- (-)	- (-)	- (-)	5.5 (36.8)	B (D)	0.42 (0.37)	275 (175)	6.2 (36.8)	A (D)	0.50 (0.37)	125 (150)
			left	0.1 (70.2)	A (E)	0.02 (0.03)	25 (50)	- (-)	- (-)	- (-)	- (-)	0.1 (70.5)	B (E)	0.02 (0.03)	50 (50)	0.1 (70.3)	A (E)	0.02 (0.03)	25 (75)
		Southbound	right	- (-)	- (-)	- (-)	- (-)	6.0 (38.9)	A (D)	0.55 (0.44)	275 (175)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
			left-right	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
8	Garage/Gibbs St & E Middle Ln	Control Type		Stop (2-Way)				Stop (2-Way)				Stop (2-Way)				Stop (2-Way)			
		Eastbound	left-through-right	3.6 (1.0)	A (A)	0.08 (0.02)	50 (25)	2.5 (0.6)	A (A)	0.08 (0.02)	100 (50)	2.5 (0.6)	A (A)	0.08 (0.02)	100 (75)	2.5 (0.6)	A (A)	0.08 (0.02)	75 (50)
			Westbound	left-through-right															

# East Middle Lane and North Washington Street Improvements

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Table 4: Build Capacity Analysis – Continued...

Node	Intersection	Approach	Movement	Existing			Alternative A				Alternative B				Alternative C				
				AM (PM)			AM (PM)				AM (PM)				AM (PM)				
				Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C				
10	Helen Heneghan Way & E Middle Ln	Control Type		Stop (T Int)			Stop (T Int)				Stop (T Int)				Stop (T Int)				
		Eastbound	through-right	0.0 (0.0)	A (A)	0.12 (0.19)	25 (25)	0.0 (0.0)	A (A)	0.20 (0.29)	0 (25)	0.0 (0.0)	A (A)	0.20 (0.29)	25 (50)	0.0 (0.0)	A (A)	0.20 (0.29)	25 (50)
		Westbound	left-through	1.8 (0.3)	A (A)	0.04 (0.00)	75 (25)	1.0 (0.1)	A (A)	0.04 (0.00)	200 (200)	1.0 (0.1)	A (A)	0.04 (0.00)	175 (200)	1.0 (0.1)	A (A)	0.04 (0.00)	200 (200)
		Northbound	left-right	10.6 (16.2)	B (C)	0.10 (0.40)	75 (125)	11.7 (19.7)	B (C)	0.12 (0.47)	75 (200)	11.7 (19.7)	B (C)	0.12 (0.47)	75 (225)	11.7 (19.7)	B (C)	0.12 (0.47)	75 (275)
11	Monroe St & E Middle Ln	Control Type		Stop (T Int)			Stop (T Int)				Stop (T Int)				Stop (T Int)				
		Eastbound	through-right	0.0 (0.0)	A (A)	0.14 (0.24)	50 (175)	0.0 (0.0)	A (A)	0.14 (0.24)	50 (150)	0.0 (0.0)	A (A)	0.14 (0.24)	25 (175)	0.0 (0.0)	A (A)	0.14 (0.24)	25 (150)
		Westbound	through	0.0 (0.0)	A (A)	0.17 (0.16)	75 (25)	0.0 (0.0)	A (A)	0.33 (0.31)	75 (125)	0.0 (0.0)	A (A)	0.33 (0.31)	75 (75)	0.0 (0.0)	A (A)	0.33 (0.31)	50 (75)
		Northbound	right	9.7 (11.4)	A (B)	0.07 (0.18)	75 (200)	9.7 (11.4)	A (B)	0.07 (0.18)	50 (75)	9.7 (11.4)	A (B)	0.07 (0.18)	50 (100)	9.7 (11.4)	A (B)	0.07 (0.18)	50 (75)
12	MD 355 & E Middle Ln/Park Rd	Control Type		Signal			Signal				Signal				Signal				
		Overall	41.6 (45.7)	D (D)	0.81 (0.80)	- (-)	41.6 (45.7)	D (D)	0.81 (0.80)	- (-)	41.6 (45.7)	D (D)	0.81 (0.80)	- (-)	41.6 (45.7)	D (D)	0.81 (0.80)	- (-)	
		Eastbound	through-right	67.7 (64.4)	E (E)	0.68 (0.80)	175 (175)	67.7 (64.4)	E (E)	0.68 (0.80)	150 (175)	67.7 (64.4)	E (E)	0.68 (0.80)	150 (175)	67.7 (64.4)	E (E)	0.68 (0.80)	150 (175)
			right	54.9 (34.9)	D (C)	0.37 (0.30)	100 (100)	54.9 (34.9)	D (C)	0.37 (0.30)	75 (100)	54.9 (34.9)	D (C)	0.37 (0.30)	100 (125)	54.9 (34.9)	D (C)	0.37 (0.30)	75 (100)
		Westbound	left	70.0 (49.1)	E (D)	0.87 (0.67)	225 (200)	70.0 (49.1)	E (D)	0.87 (0.67)	200 (175)	70.0 (49.1)	E (D)	0.87 (0.67)	200 (200)	70.0 (49.1)	E (D)	0.87 (0.67)	200 (200)
			through-right	56.0 (43.1)	E (D)	0.76 (0.50)	675 (325)	56.0 (43.1)	E (D)	0.76 (0.50)	650 (300)	56.0 (43.1)	E (D)	0.76 (0.50)	675 (325)	56.0 (43.1)	E (D)	0.76 (0.50)	675 (325)
			right	37.4 (27.6)	D (C)	0.32 (0.23)	400 (100)	37.4 (27.6)	D (C)	0.32 (0.23)	375 (100)	37.4 (27.6)	D (C)	0.32 (0.23)	450 (100)	37.4 (27.6)	D (C)	0.32 (0.23)	475 (100)
		Northbound	left	210.7 (58.4)	F (E)	1.17 (0.51)	375 (350)	210.7 (58.4)	F (E)	1.17 (0.51)	425 (375)	210.7 (58.4)	F (E)	1.17 (0.51)	400 (350)	210.7 (58.4)	F (E)	1.17 (0.51)	300 (375)
			through-right	21.5 (39.5)	C (D)	0.37 (0.79)	400 (525)	21.5 (39.5)	C (D)	0.37 (0.79)	700 (500)	21.5 (39.5)	C (D)	0.37 (0.79)	550 (500)	21.5 (39.5)	C (D)	0.37 (0.79)	350 (525)
			Southbound	left	69.2 (74.9)	E (E)	0.38 (0.80)	275 (375)	69.2 (74.9)	E (E)	0.38 (0.80)	300 (375)	69.2 (74.9)	E (E)	0.38 (0.80)	300 (350)	69.2 (74.9)	E (E)	0.38 (0.80)
		through-right	28.6 (42.7)	C (D)	0.70 (0.75)	525 (500)	28.6 (42.7)	C (D)	0.70 (0.75)	500 (475)	28.6 (42.7)	C (D)	0.70 (0.75)	500 (475)	28.6 (42.7)	C (D)	0.70 (0.75)	525 (475)	

Table 5: Build Improved Capacity Analysis

Node	Intersection	Approach	Movement	Existing				Alternative A				Alternative B				Alternative C			
				AM (PM)				AM (PM)				AM (PM)				AM (PM)			
				Delay	LOS	V/C		Delay	LOS	V/C		Delay	LOS	V/C		Delay	LOS	V/C	
6	N Washington St & W Montgomery Ave/Courthouse Rd	Control Type		Signal				Signal				Signal				Signal			
		Overall		20.7 (21.7)	C (C)	0.47 (0.53)	- (-)	21.4 (21.7)	C (C)	0.47 (0.53)	- (-)	20.8 (21.8)	C (C)	0.47 (0.53)	- (-)	21.4 (21.7)	C (C)	0.47 (0.53)	- (-)
		Eastbound	Overall	16.0 (13.7)	B (B)	0.48 (0.52)	- (-)	16.0 (13.7)	B (B)	0.48 (0.52)	- (-)	16.0 (13.7)	B (B)	0.48 (0.52)	- (-)	16.0 (13.7)	B (B)	0.48 (0.52)	- (-)
			left	16.4 (14.1)	B (B)	0.48 (0.52)	175 (150)	16.4 (14.1)	B (B)	0.48 (0.53)	650 (575)	16.4 (14.1)	B (B)	0.48 (0.52)	675 (550)	16.4 (14.1)	B (B)	0.48 (0.53)	700 (575)
		Westbound	through-right	14.7 (11.9)	B (B)	0.11 (0.10)	550 (600)	14.7 (11.9)	B (B)	0.11 (0.10)	200 (200)	14.7 (11.9)	B (B)	0.11 (0.10)	200 (200)	14.7 (11.9)	B (B)	0.11 (0.10)	200 (200)
			Overall	35.0 (32.1)	C (C)	0.19 (0.25)	- (-)	35.0 (32.1)	C (C)	0.19 (0.25)	- (-)	35.0 (32.1)	C (C)	0.19 (0.25)	- (-)	35.0 (32.1)	C (C)	0.19 (0.25)	- (-)
		Northbound	left-through-right	35.0 (32.1)	C (C)	0.19 (0.25)	125 (150)	35.0 (32.1)	C (C)	0.19 (0.25)	175 (350)	35.0 (32.1)	C (C)	0.19 (0.25)	200 (350)	35.0 (32.1)	C (C)	0.19 (0.25)	175 (350)
			Overall	26.5 (24.6)	C (C)	0.30 (0.24)	- (-)	28.8 (28.5)	C (C)	0.30 (0.45)	- (-)	28.2 (28.5)	C (C)	0.30 (0.45)	- (-)	28.8 (28.5)	C (C)	0.30 (0.45)	- (-)
		Southbound	left-through-right	26.5 (24.6)	C (C)	0.30 (0.24)	100 (75)	28.8 (28.5)	C (C)	0.30 (0.45)	125 (175)	28.2 (28.5)	C (C)	0.30 (0.45)	125 (150)	28.8 (28.5)	C (C)	0.30 (0.45)	125 (175)
			Overall	21.3 (25.2)	C (C)	0.53 (0.49)	- (-)	22.1 (23.8)	C (C)	0.53 (0.45)	- (-)	21.0 (24.1)	C (C)	0.53 (0.49)	- (-)	22.1 (23.8)	C (C)	0.53 (0.45)	- (-)
			through	30.3 (30.1)	C (C)	0.53 (0.42)	175 (175)	30.7 (25.8)	C (C)	0.53 (0.42)	175 (175)	29.7 (27.1)	C (C)	0.53 (0.42)	150 (150)	30.7 (25.8)	C (C)	0.53 (0.42)	175 (175)
			right	13.0 (22.9)	B (C)	0.34 (0.49)	150 (225)	14.1 (22.9)	B (C)	0.34 (0.49)	150 (200)	12.9 (22.6)	B (C)	0.34 (0.49)	150 (200)	14.1 (22.9)	B (C)	0.34 (0.49)	150 (200)

## G. Implementation Costs

Final Design Costs are estimated to be about \$50,000, based on the current set of plans and additional design details that need to be finalized. Construction costs are for new signage and new striping. While the existing striping can be eradicated thru grinding or water-pressured solvents, it is expected that the design will ultimately be constructed in conjunction with a resurfacing contract. Construction costs for the new signage are approximately the same for each option: about \$5,000. Additionally, the overall cost to re-stripe and remark the roadways is not materially different for each option, at approximately \$65,000 for all the new lines and pavement markings – including maintenance of traffic operations. The difference in cost across options pertains to:

- For option B along Washington Street only: the need for new traffic signalization to protect southbound cyclists along the North Washington Street 2-way cycletrack. This is estimated at an additional \$120,000 for design and construction for protected only left-turn phasing at three intersections.
- Incorporation of vertical protections, if any: in the buffer areas along North Washington Street. Vertical protection within the buffer zones provides additional safety over a buffer area between cars and bikes that is simply hatched. Vertical protection cost varies greatly by product, with preformed concrete curbs being the most expensive and traditional flexposts being the least expensive. Note, that no vertical protection is needed for Middle Lane, as the parked vehicles provide the buffer between bike lanes and general travel lanes.

Table 6 summarizes the estimated design and construction costs for each option and shows that design

## East Middle Lane and North Washington Street Improvements

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and construction is estimated to cost between \$200,000 and \$300,000 for both streets, depending on the preferred option chosen.

Table 6: Estimated Design and Construction Costs

Street	North Washington Street			East Middle Lane	
Option	Option A	Option B	Option C	Option A	Option B
Striping Cost	\$ 45,000	\$ 45,000	\$ 45,000	\$ 20,000	\$ 20,000
Signing Cost	\$ 3,000	\$ 3,000	\$ 3,000	\$ 2,000	\$ 2,000
Signalization Cost	n/a	\$ 120,000	n/a	n/a	n/a
Additional Flexible Post Vertical Protection	\$ 15,000	\$ 10,000	\$ 10,000	n/a	n/a
Design Cost	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
<b>TOTAL COST</b>	<b>\$ 113,000</b>	<b>\$ 228,000</b>	<b>\$ 108,000</b>	<b>\$ 72,000</b>	<b>\$ 72,000</b>

Additionally, this estimate does not include the purchase of any new parking meters. It does not include the cost of eradicating existing pavement markings and lines, if the City were to choose to construct the design without resurfacing the roadways. Finally, this estimate assumes flexible posts for vertical protection – there are more robust and aesthetic options (such as preformed beveled concrete curb that is lag-bolted into the roadbed), however, there are substantially more expensive than flexposts.

## 6. Summary of Findings and Comparison of Impacts

The primary summary of findings is as follows, with a detailed matrix provided in Table 7 :

- North Washington Street and East Middle Lane have previously been identified as travelways that need repurposing to make them more business-friendly and safer/accessible by walkers and cyclists.
- Three options for North Washington Street and two options for East Middle Lane were developed to provide varying amounts of full-time curbside parking as well as dedicated bike lanes of varying quality.
- These options were analyzed initially for impacts to traffic, where subsequent changes were made to each option in order to maintain traffic flow. These changes meant that several intersection approaches would remain as they are currently configured:
  - Northbound North Washington Street at MD 355;
  - Eastbound East Middle Lane at MD 355; and
  - Westbound East Middle Lane at North Washington Street
  - Additionally, southbound left turns along North Washington Street at Dawson Ave, Beall Ave and East Middle Lane were maintained in all options.
- For East Middle Lane, the addition parking provided was the generally the same in each option, but Option A provided superior biking facilities when compared to Option B.
- For North Washington Street, Options A provided buffered bike lanes with the potential for adding vertical protection, but offers no minimal additional curbside parking. Option B provided the safest biking option, included curbside parking, but requires traffic signal changes at all signalized intersections within the corridor. Option C provides the most parking along North Washington

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Street and includes protected northbound bike lanes and buffered/traditional southbound curbside bike lanes.

- For all options along North Washington Street, curbside parking was proposed only on the east side of the corridor.
- While all curbside space in the conceptual drawings was shown as designated for parking, some space can also be allocated to deliveries or curbside restaurant pickup.
- Sight distance limitations at driveways and intersections limit the amount of total curbside parking that can be provided.
- Bus impacts were negligible and curbside boarding/alighting remained unchanged at all stops within the study area.
- Pedestrians benefit from all options primarily at uncontrolled midblock crossings (three along East Middle Lane and one along North Washington Street), where fewer travel lanes to cross means less time exposed to through-traffic and a shorter overall crossing distance.
- The speed limit for North Washington Street is recommended to be reduced from 30 mph to 25 mph to match East Middle Lane.
- Generally, within the constrained right of way for each the two streets, the ability to provide parking comes at the expense of providing buffers to bike lanes or additional turn lanes for motorists. Accordingly, once a preferred option is chosen, several design changes will likely be needed between the 10% conceptual plan provided in the appendix and the final construction-level drawing set need for implementation as a standalone project or during resurfacing.
- The Overall cost for Final Design and construction is estimated to be between \$200,00 and \$300,000, depending on the alternative chosen.

## East Middle Lane and North Washington Street Improvements

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Table 7: Matrix, summarizing Alternatives Analysis Findings

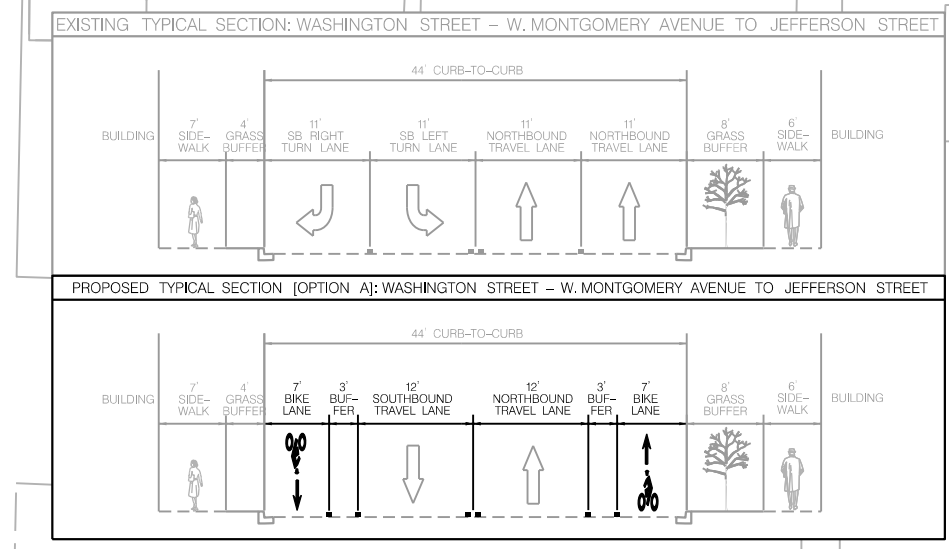
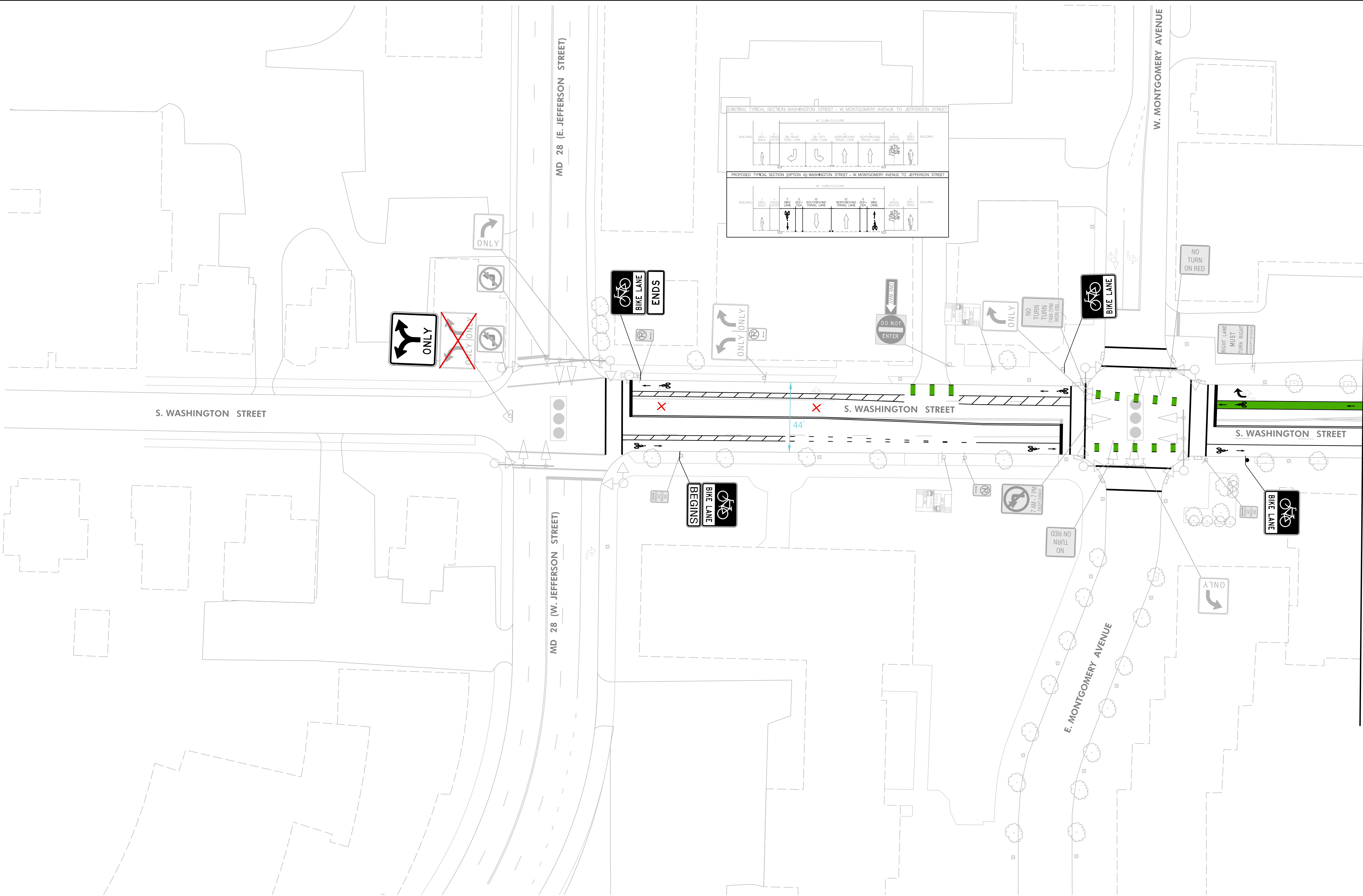
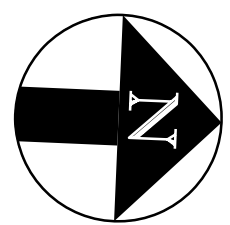
Alternatives Analysis					
Category	Metric	Option A	Option B	Option C	Notes
<b>Pedestrians</b>	Change in distance across travel lanes at unsignalized crossings	Middle Lane: 8 to 16 feet reduction in travel distance across general vehicle lanes. Washington St: 10 feet reduction in travel distance across general vehicle lanes.	Middle Lane: 8 to 16 feet reduction in travel distance. Washington St: 20 feet reduction in travel distance.	Washington St: 21 foot reduction in travel distance across general vehicle lanes.	
<b>Cyclists</b>	Change in on-street Comfort Level	-Provides Maximum protection from vehicle traffic along Middle Lane. -Dedicated bike lanes along Washington Street are mostly buffered (option for vertical protective barriers)	-Provides protected two-way cycletrack on Washington Street. -Provides Dedicated Bike Lanes on Middle Lane, but no protection from vehicle traffic	-Provides protected northbound bike lane and partially buffered southbound bike lane on Washington Street. -No Option C for Middle Lane	For Option B, southbound cyclists will need protection from southbound left-turning vehicles
<b>Vehicles</b>	-Change in queue lengths on approaches. -Intersection Delay.	Minimal changes to Delay and to queuing at all approaches of signalized intersections	Minimal changes to Delay and to queuing at all approaches of signalized intersections. Additional delay at unsignalized intersections/garages/driveways on N. Washington St	Minimal changes to Delay and to queuing at all approaches of signalized intersections. Additional delay at unsignalized intersections/garages/driveways on N. Washington St	Minimal changes in delay and queuing are entirely due to critical approaches remaining unchanged in all of the options
<b>Parking</b>	-Additional Parking on Middle Ln. -Additional Parking on Washington St.	-29 new spaces on Middle Lane only	-13 new spaces on Washington St. -33 new spaces on Middle Lane	-16 new spaces on Washington St.	Curbside Parking is pulled back where bus boarding occurs at driveways and intersections.
<b>Buses</b>	Bus Travel Time	Dependent on Change in Vehicle Travel Time	Dependent on Change in Vehicle Travel Time	Dependent on Change in Vehicle Travel Time	Curbside Parking to be pulled back to allow curbside bus boarding without traffic disruption
<b>Cost</b>	Estimated Cost of Final Design and Installation	\$113,000 for Washington Street; and \$72,000 for Middle Lane	\$228,000 for Washington Street; and \$72,000 for Middle Lane	\$108,000 for Washington Street; and \$72,000 for Middle Lane	No Option C for Middle Lane

## 7. Next Steps

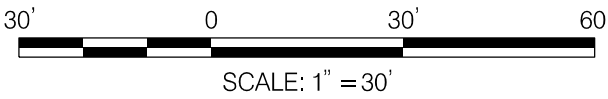
The next steps in the process toward project implementation are as follows:

1. Presentation of Project to Mayor and City Council.
2. Select a Preferred Option for both East Middle Lane and North Washington Street.
  - a. Determine if vertical protection will be incorporated.
  - b. Determine if the new curbside parking will be metered (if the parking meters are powered via existing electric lines, it is better to tie into them during a resurfacing project than after the project is completed – which would require digging up new asphalt).
3. Secure funding for and complete Final Design for the Preferred Option for each street.
4. Secure funding for resurfacing and construction of Preferred Option along East Middle Lane and North Washington Street.
5. Incorporate Final Design into a bid package for advertising.





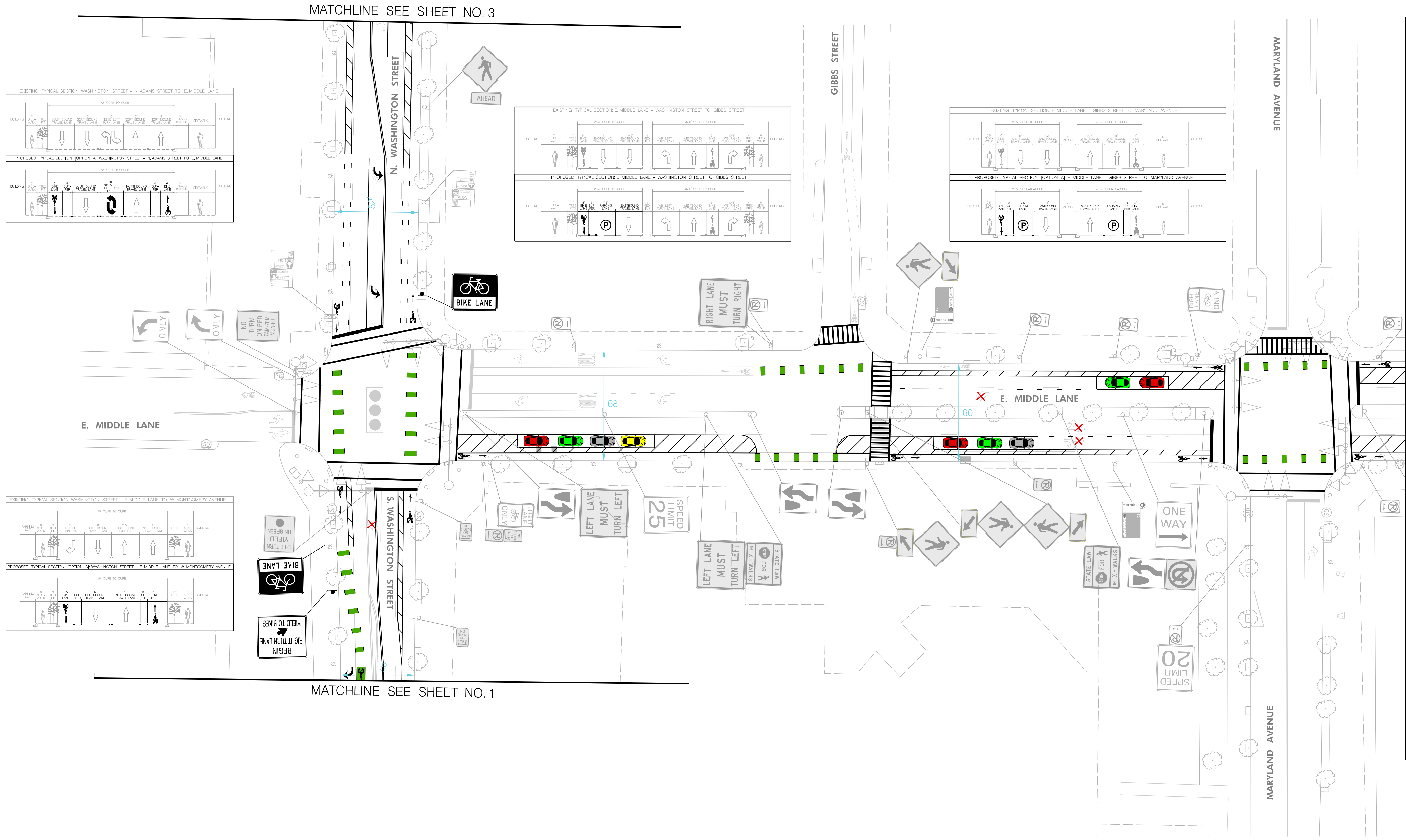
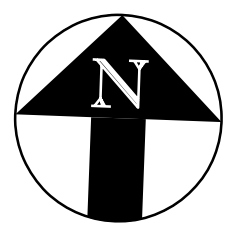
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Rockville Town Center  
Proposed Concept: Option A





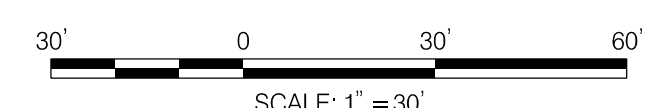


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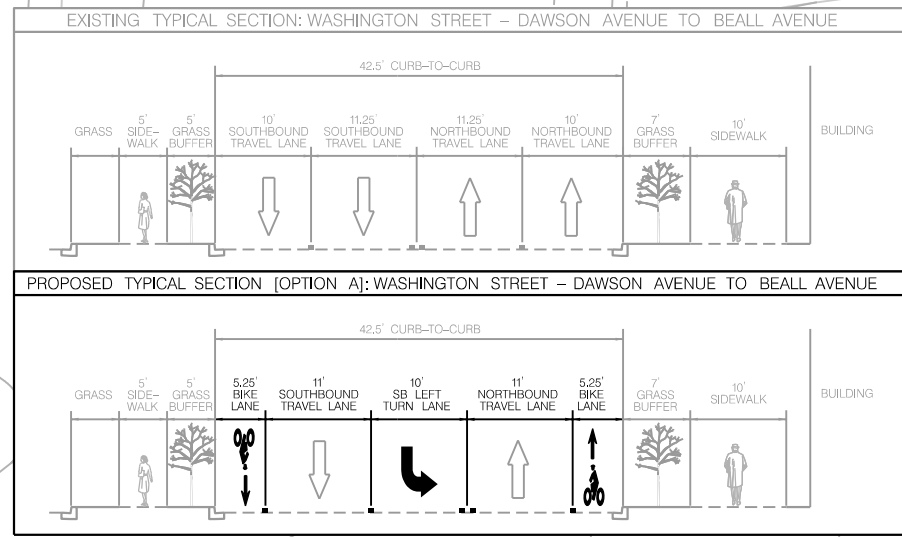
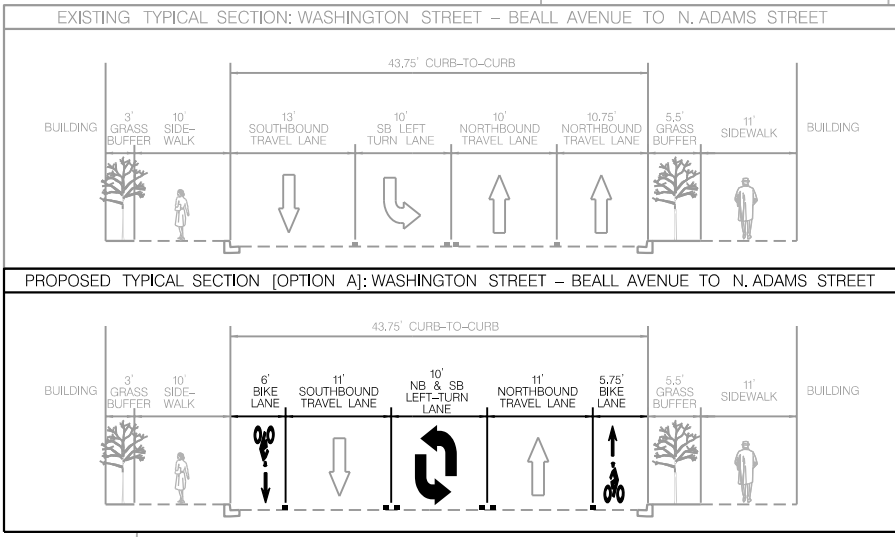
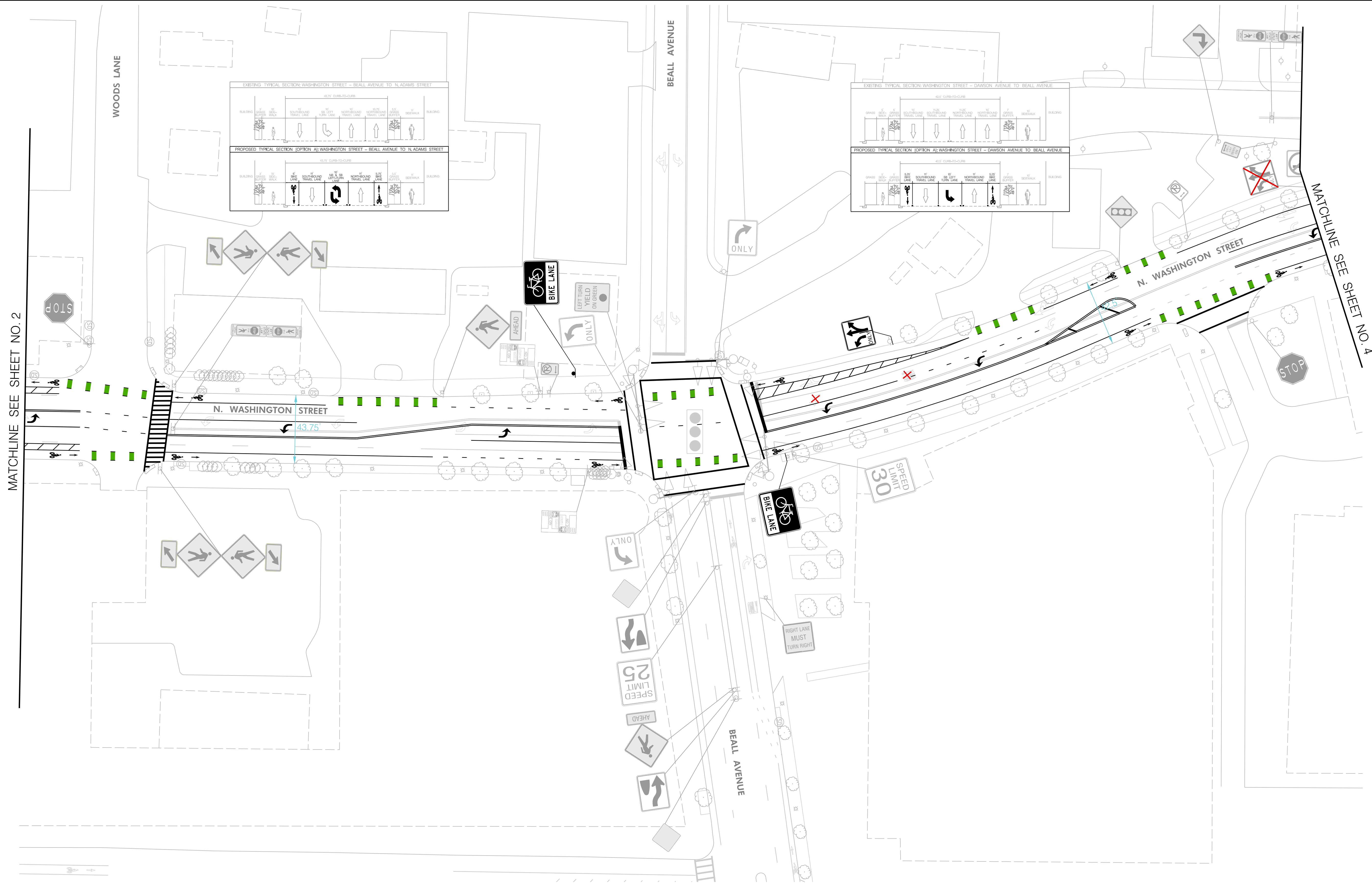
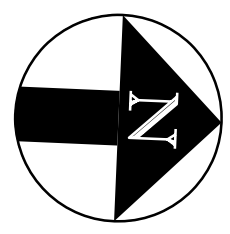
Rockville Town Center  
Proposed Concept: Option A



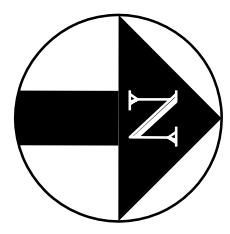
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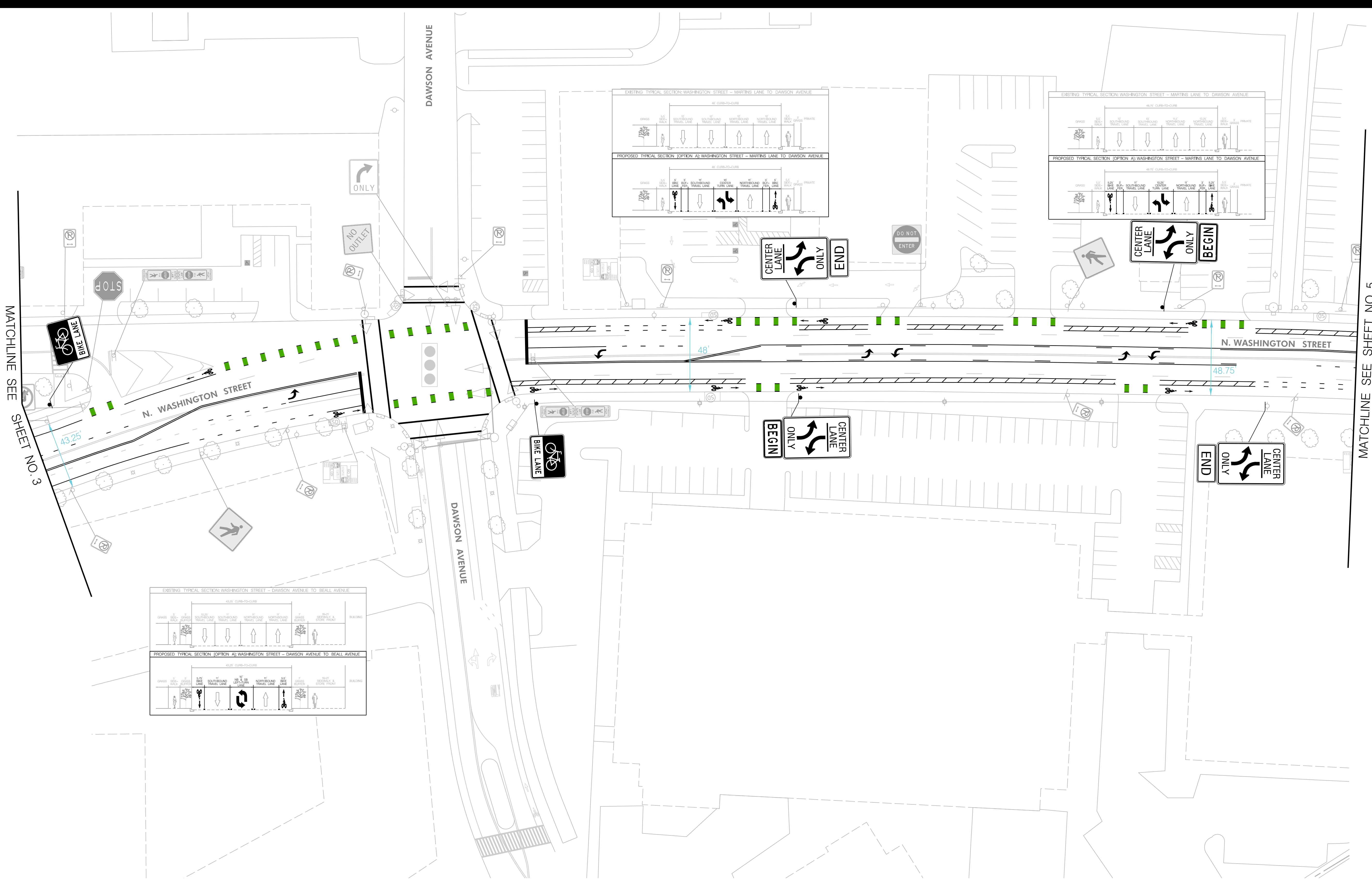
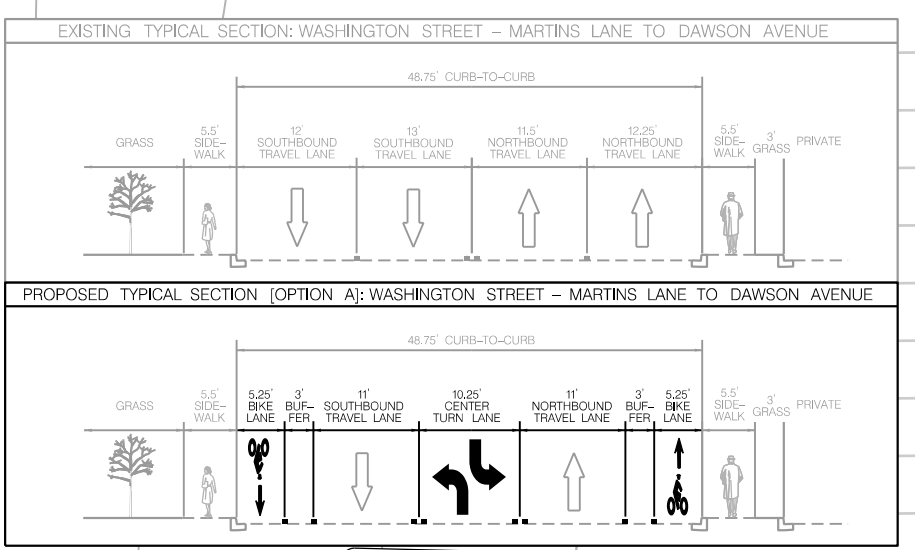
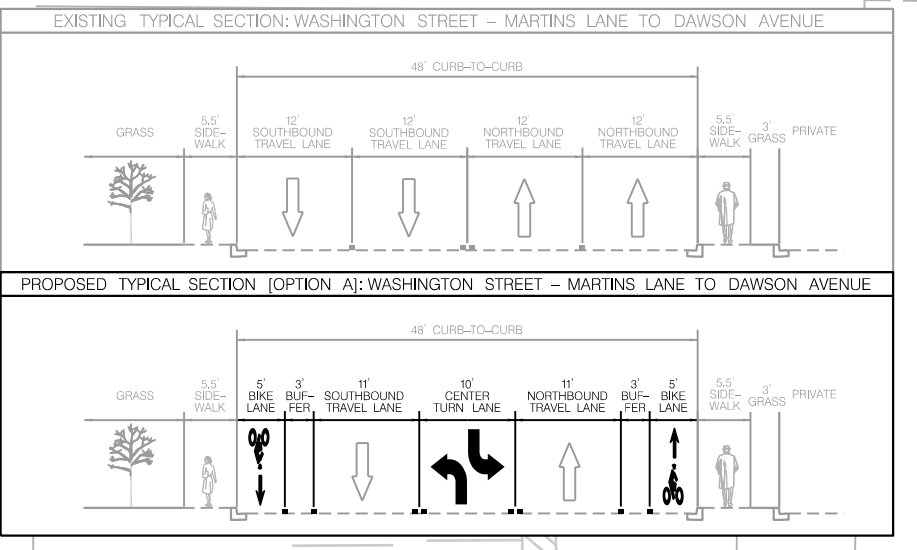
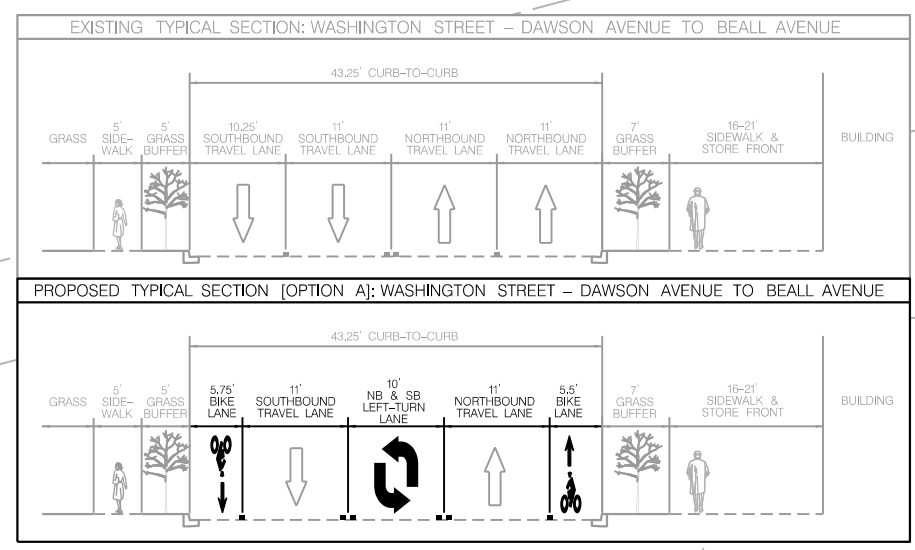




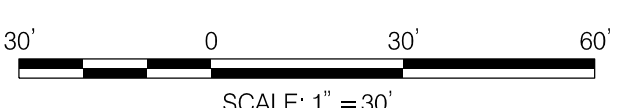


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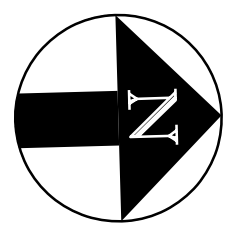
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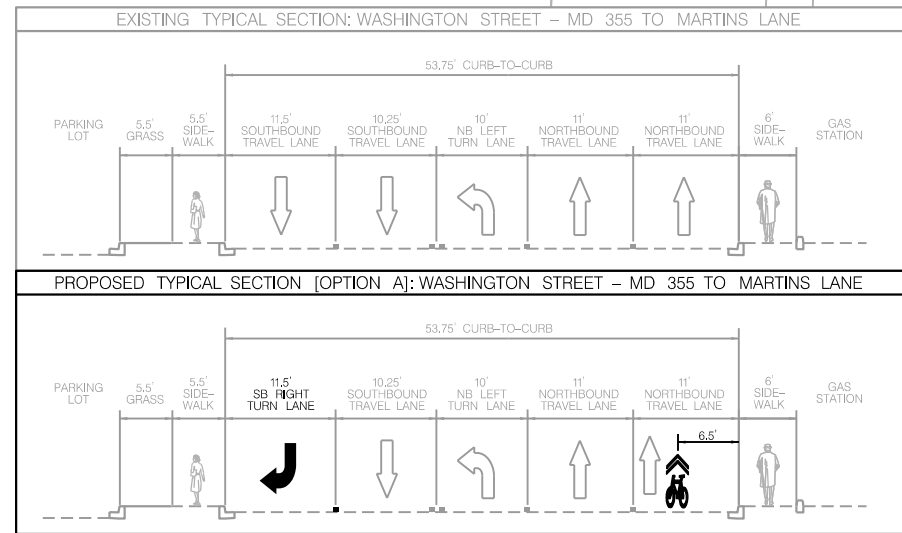
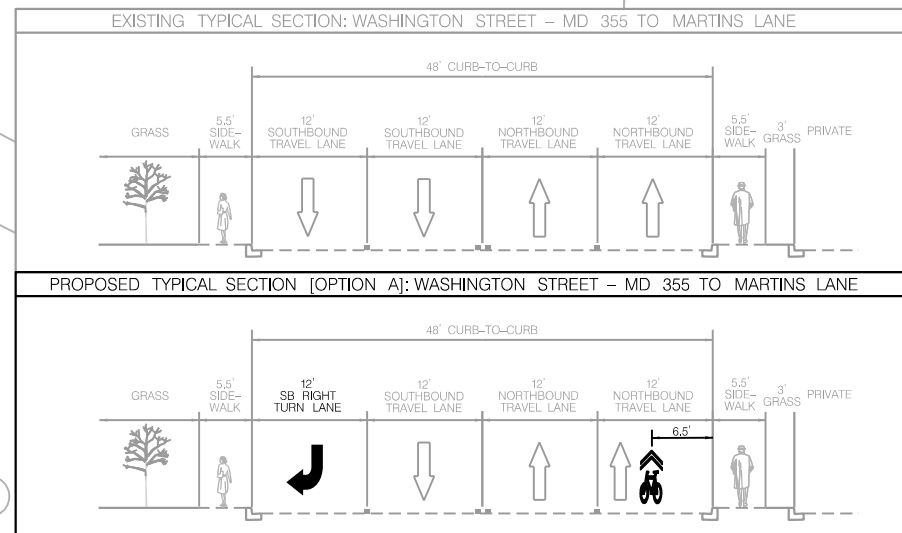
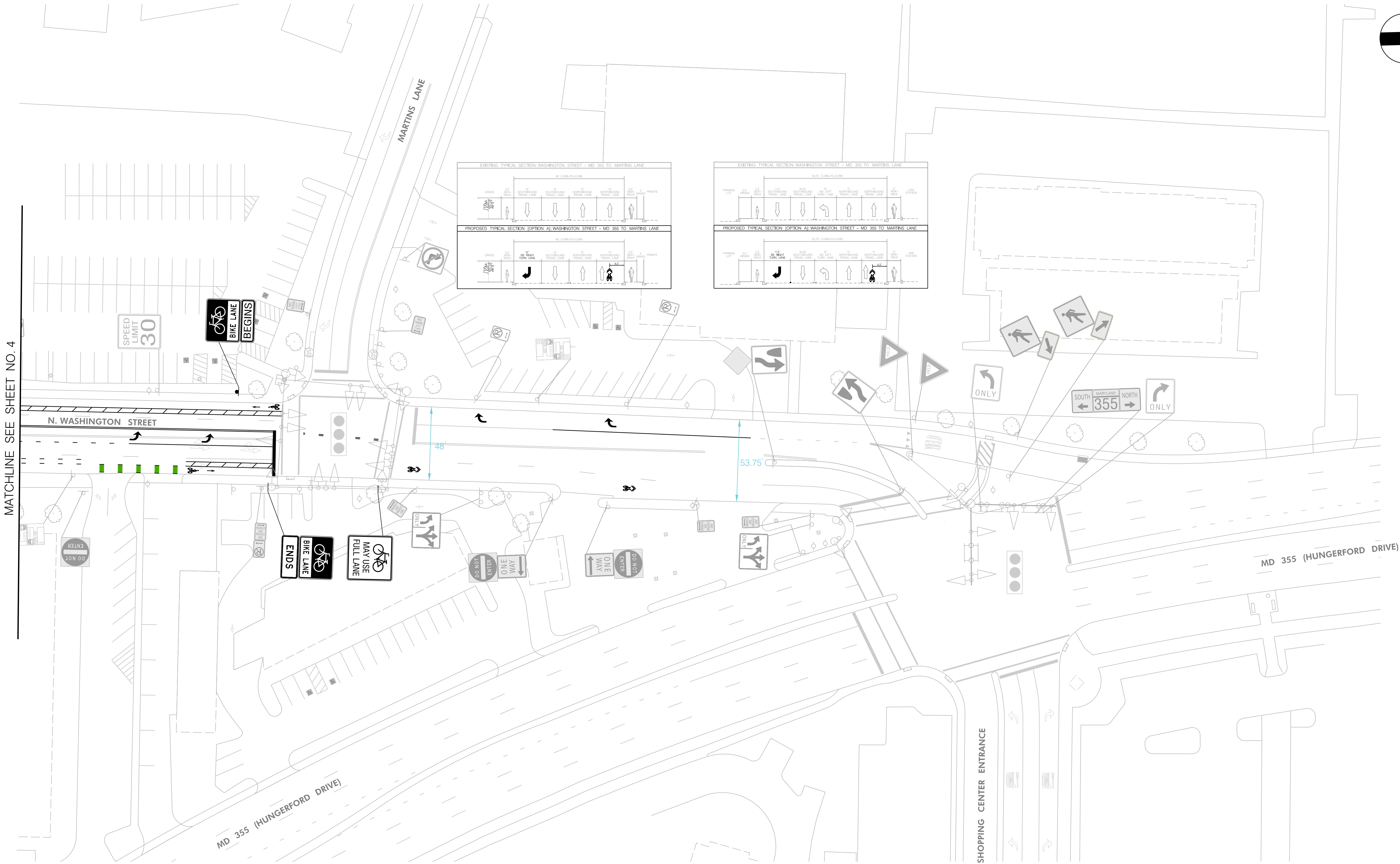
Rockville Town Center  
Proposed Concept: Option A



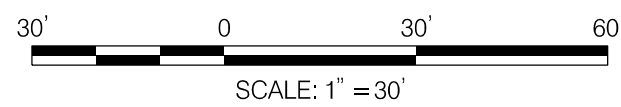




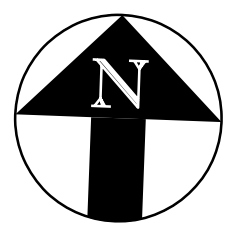
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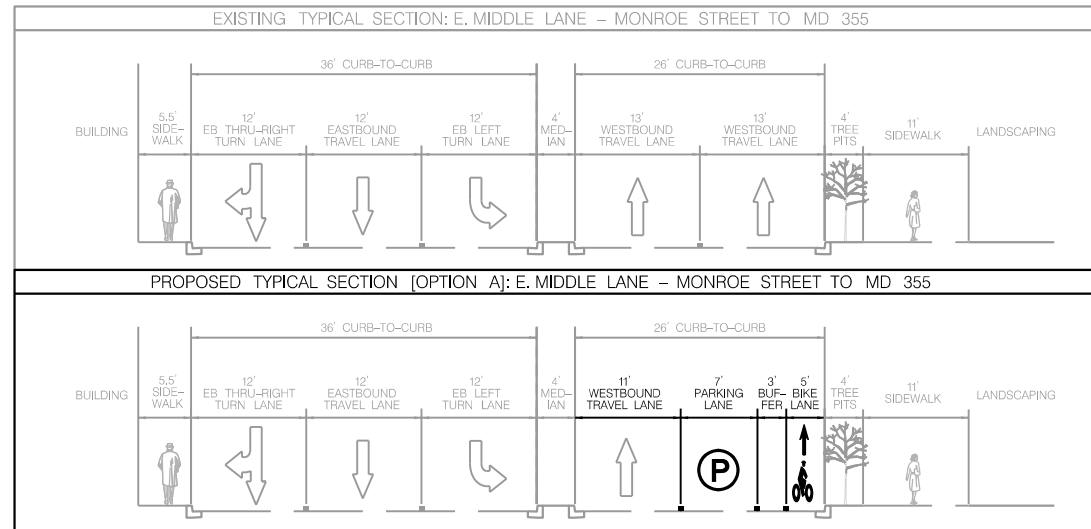
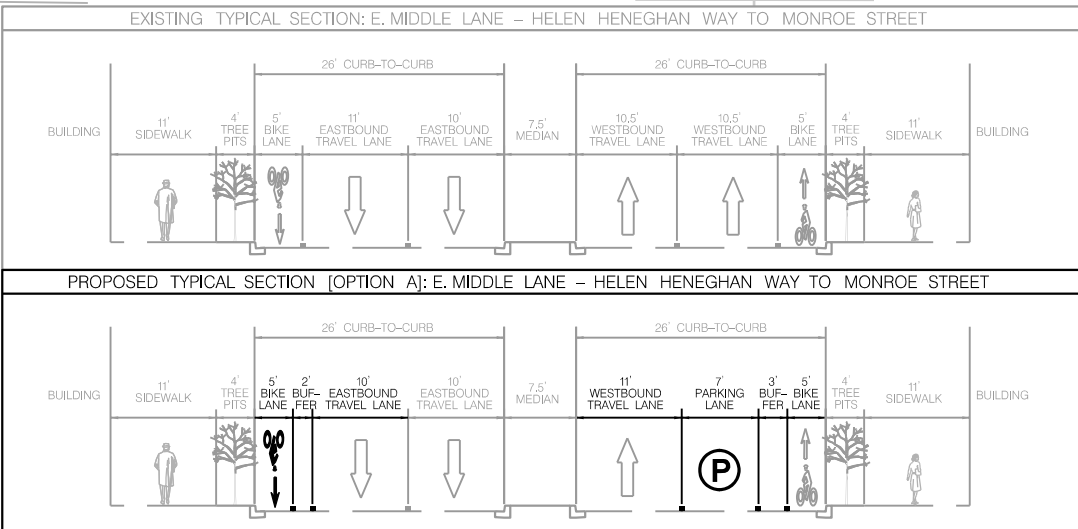
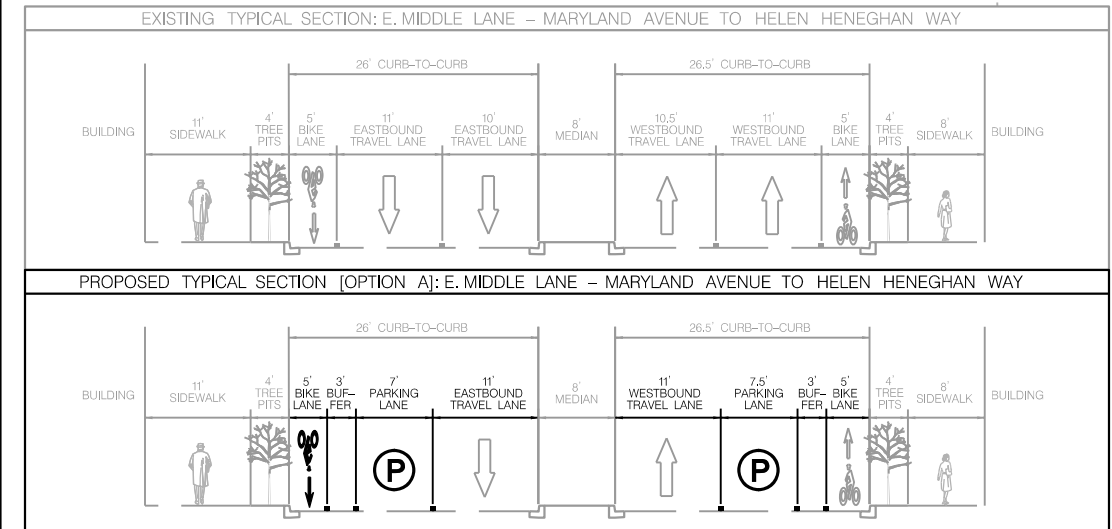
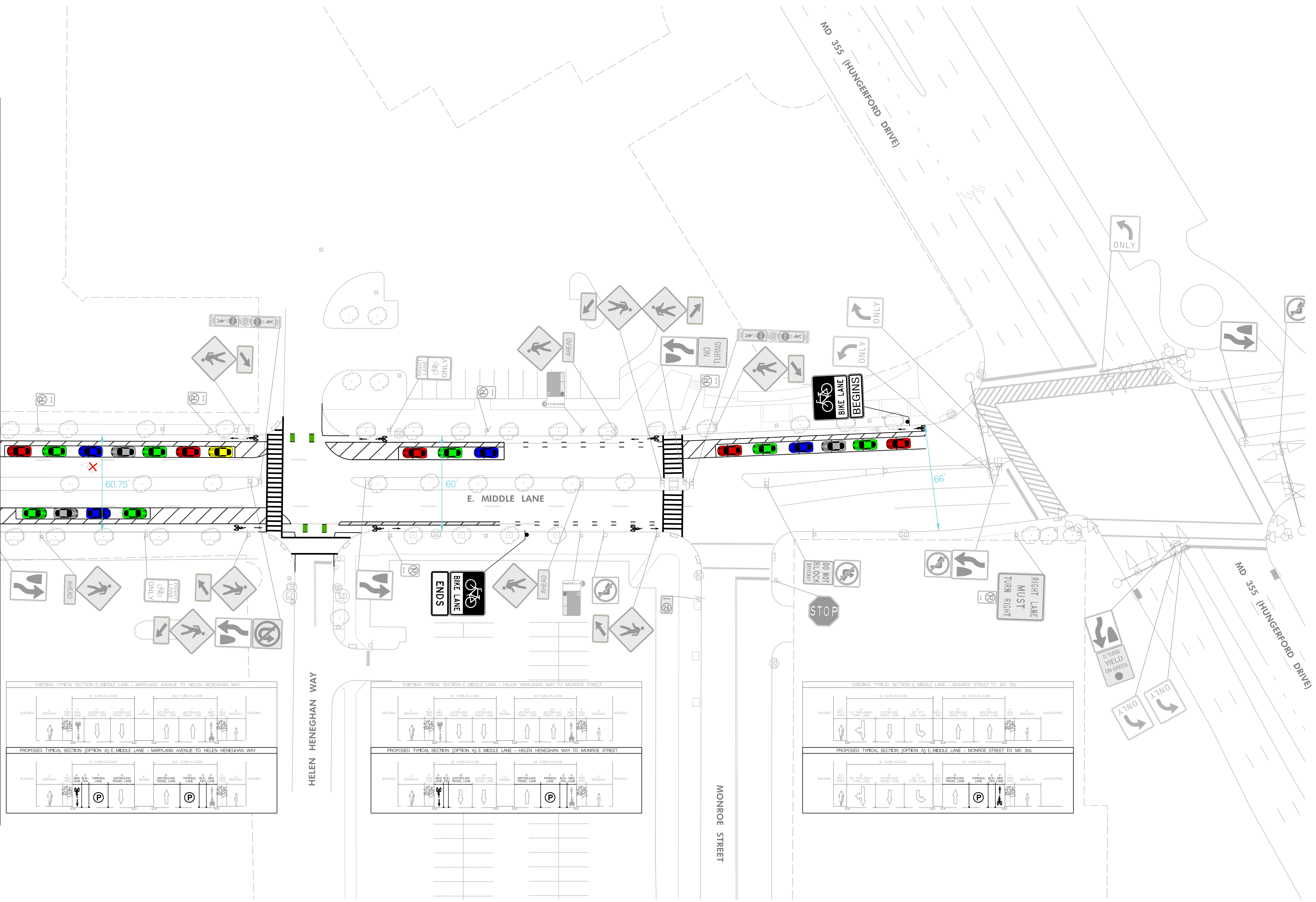
Rockville Town Center  
Proposed Concept: Option A



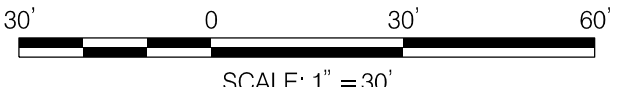


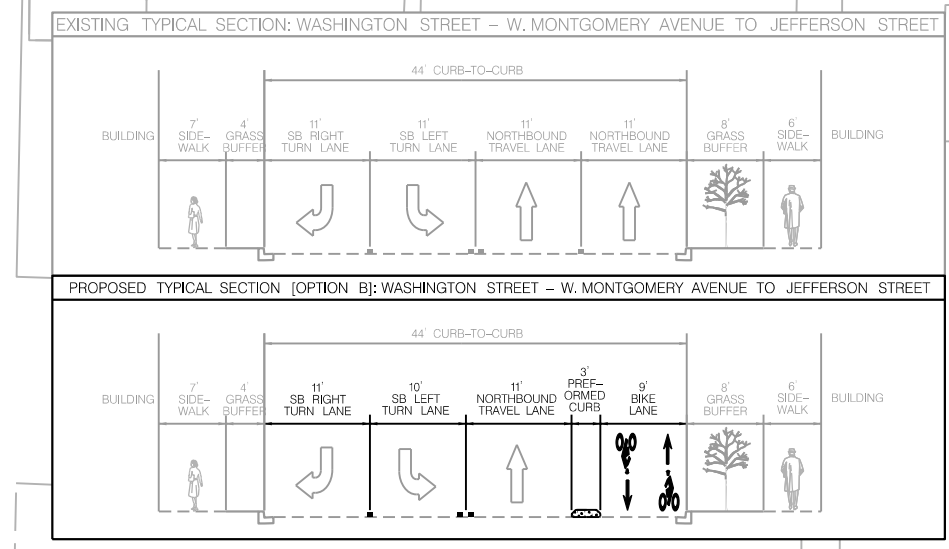
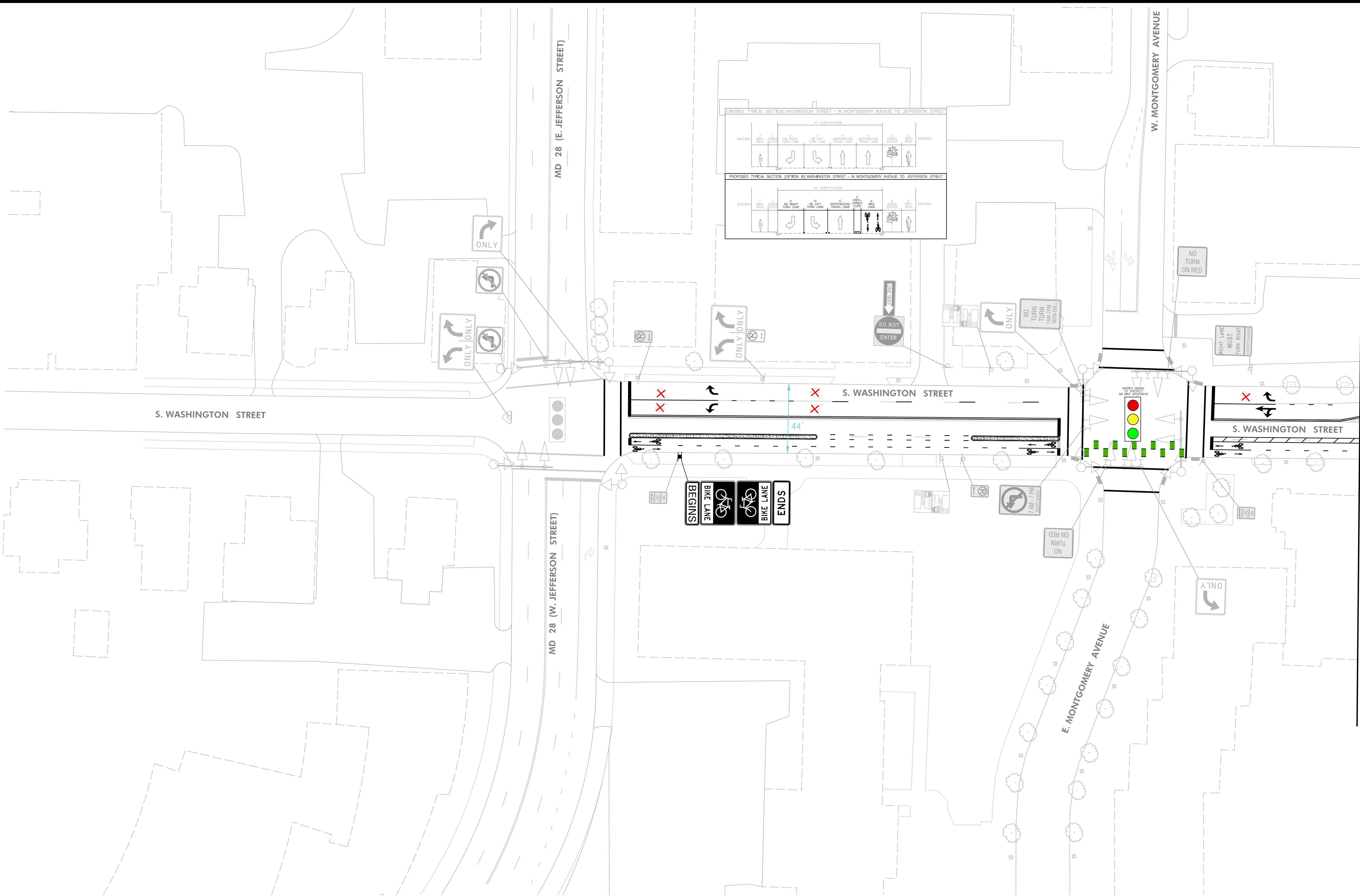
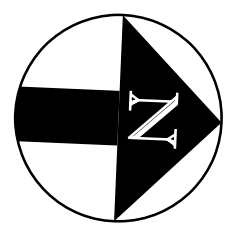


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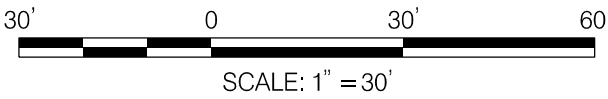


Rockville Town Center  
Proposed Concept: Option A





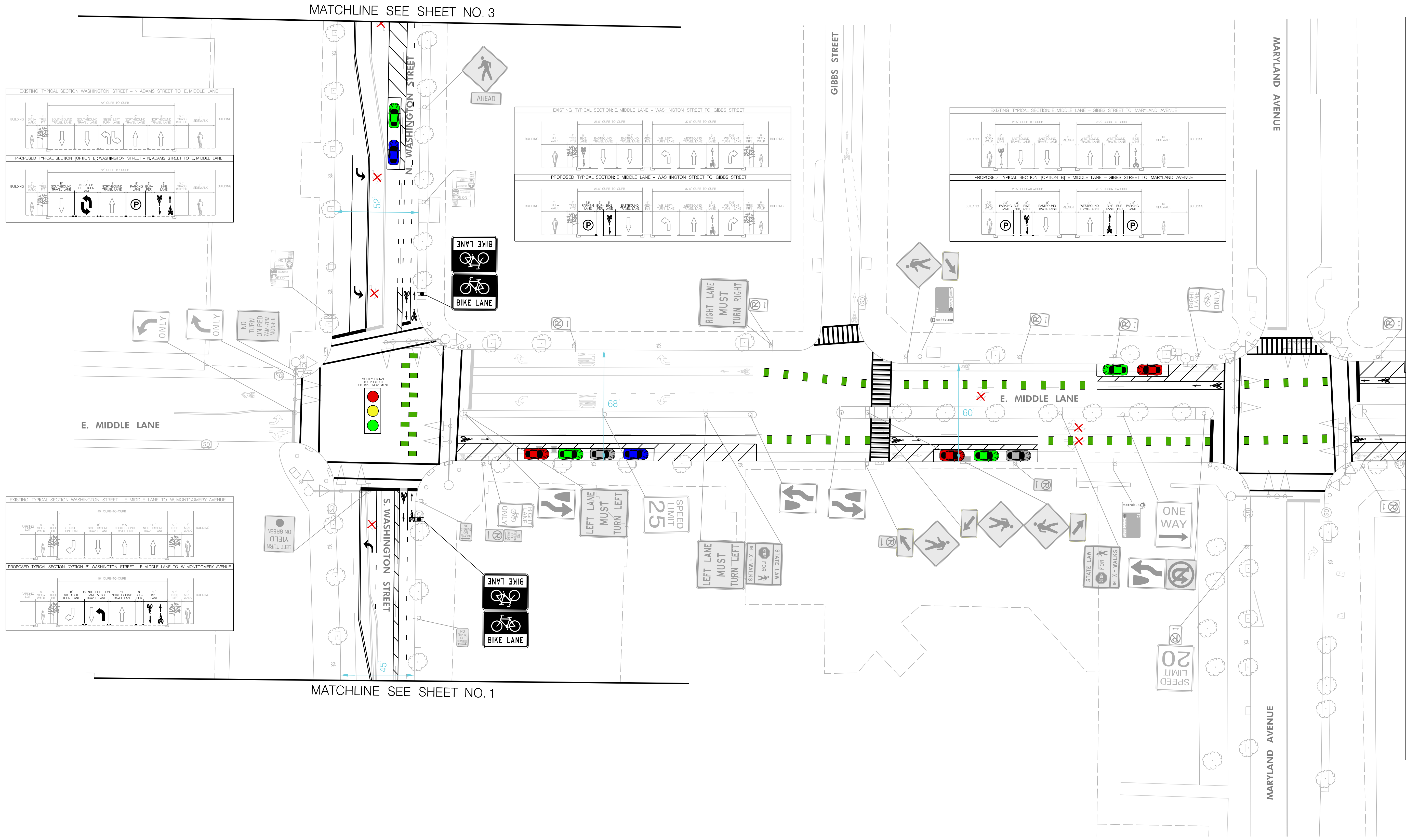
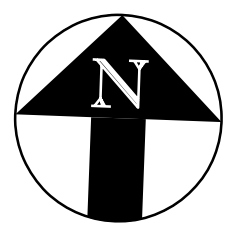
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Rockville Town Center  
Proposed Concept: Option B





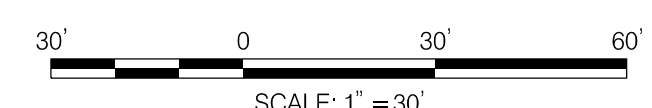


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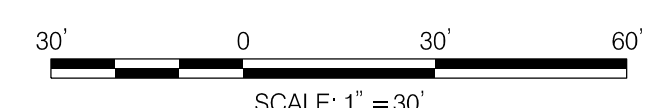
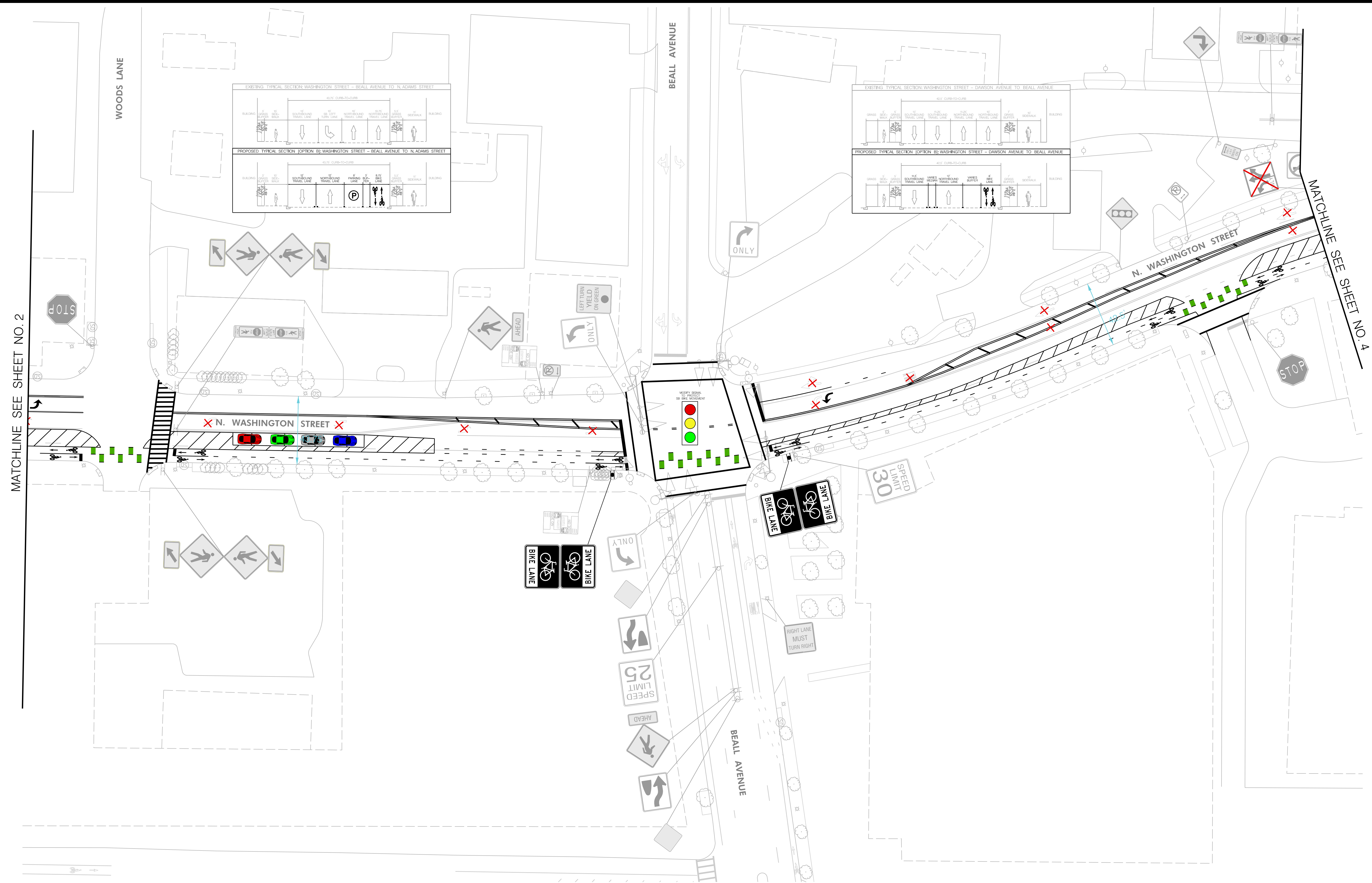
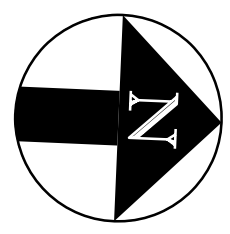
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Rockville Town Center  
Proposed Concept: Option B



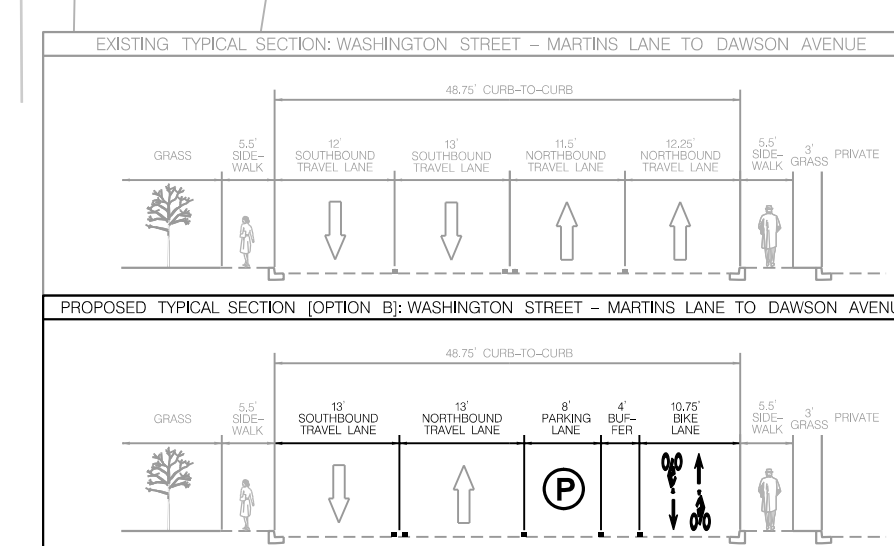
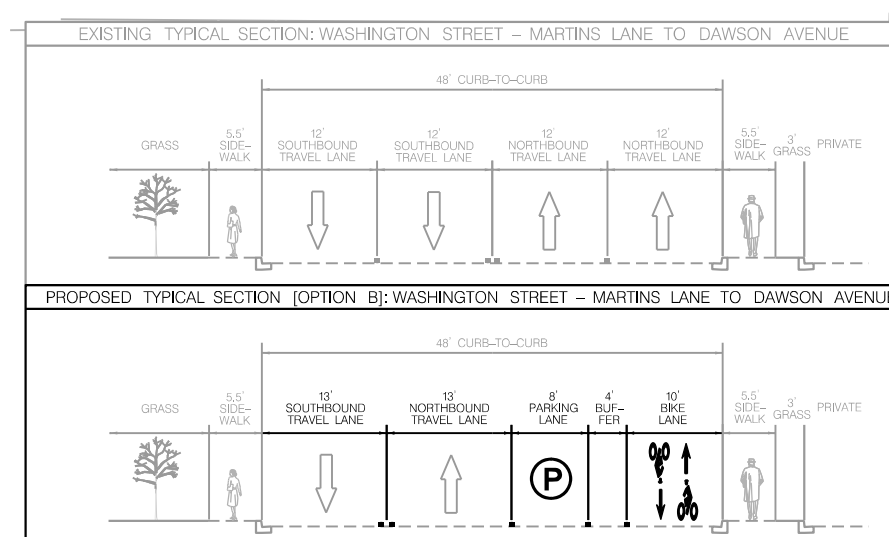
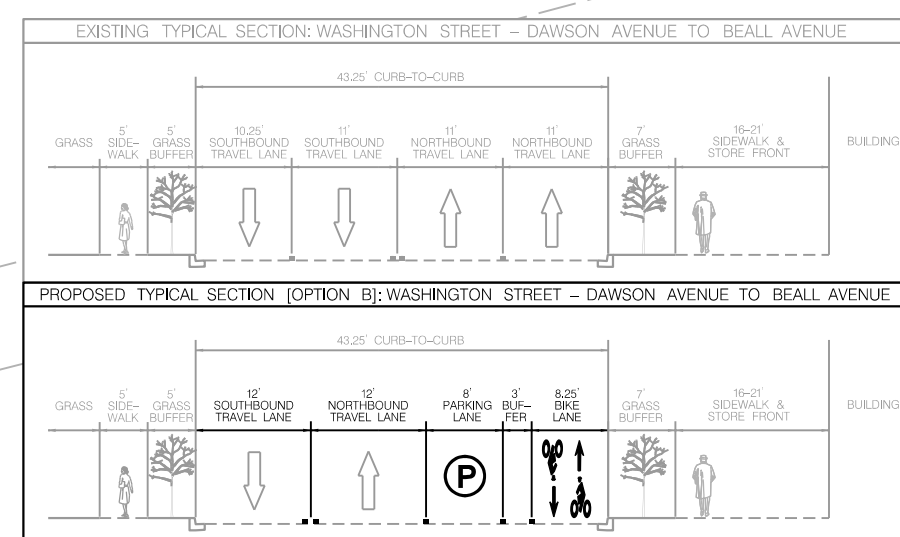
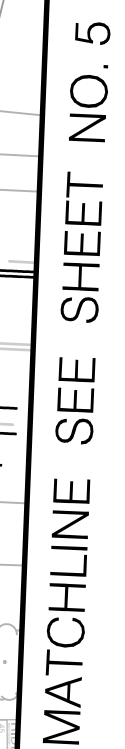




Rockville Town Center  
Proposed Concept: Option B





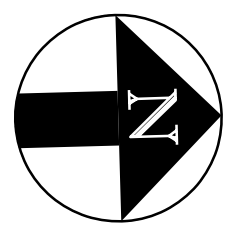


Rockville Town Center  
Proposed Concept: Option B

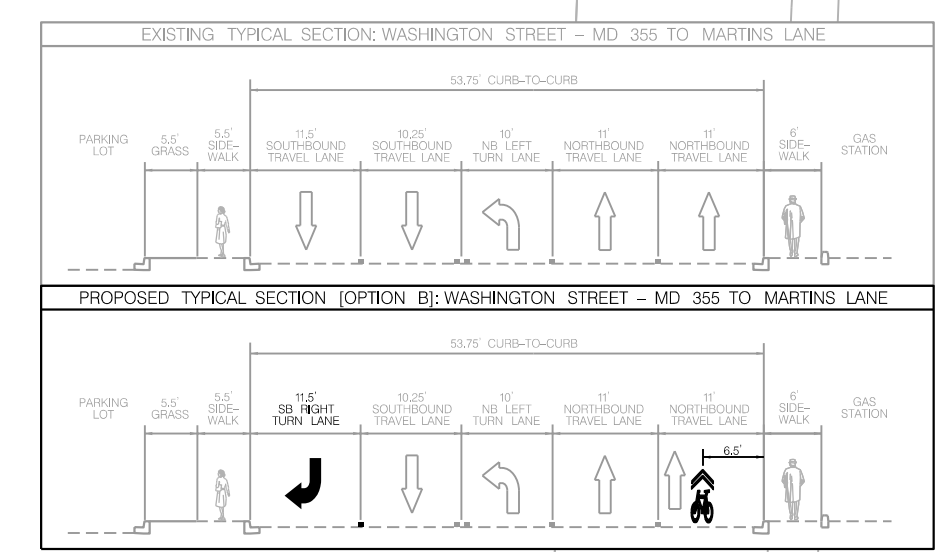
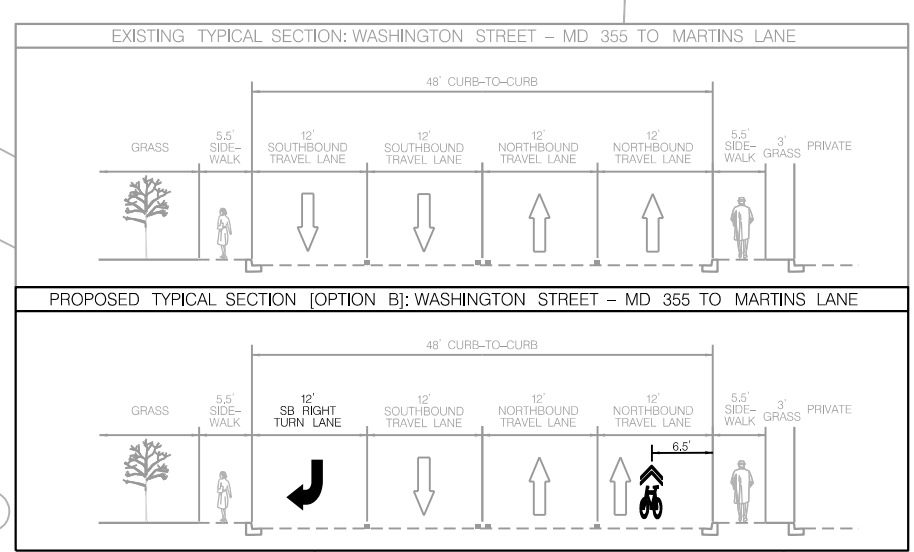
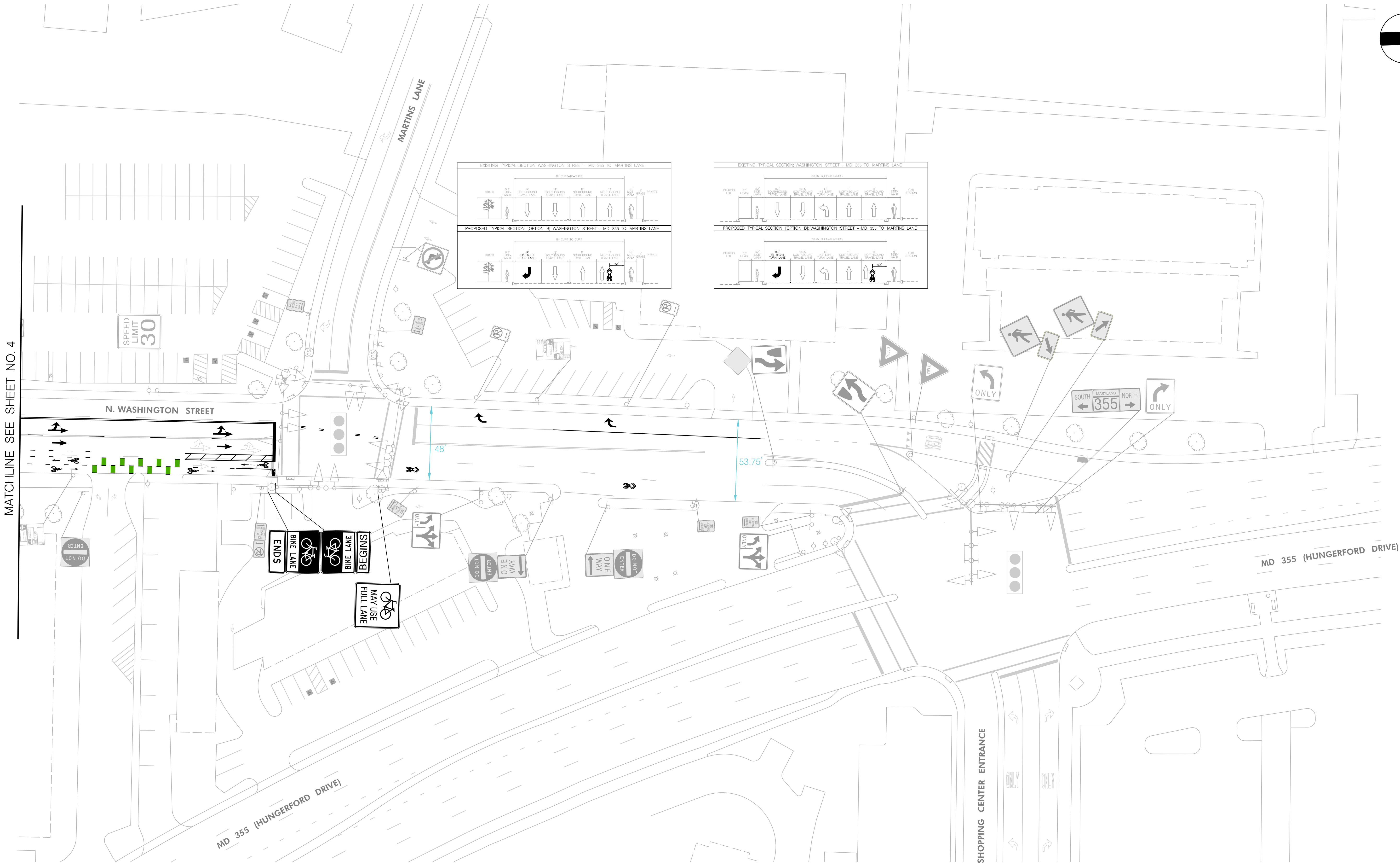


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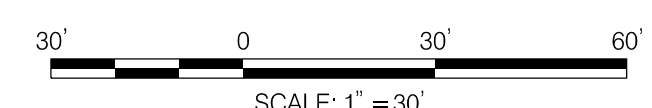




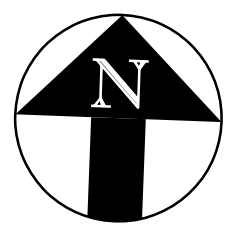
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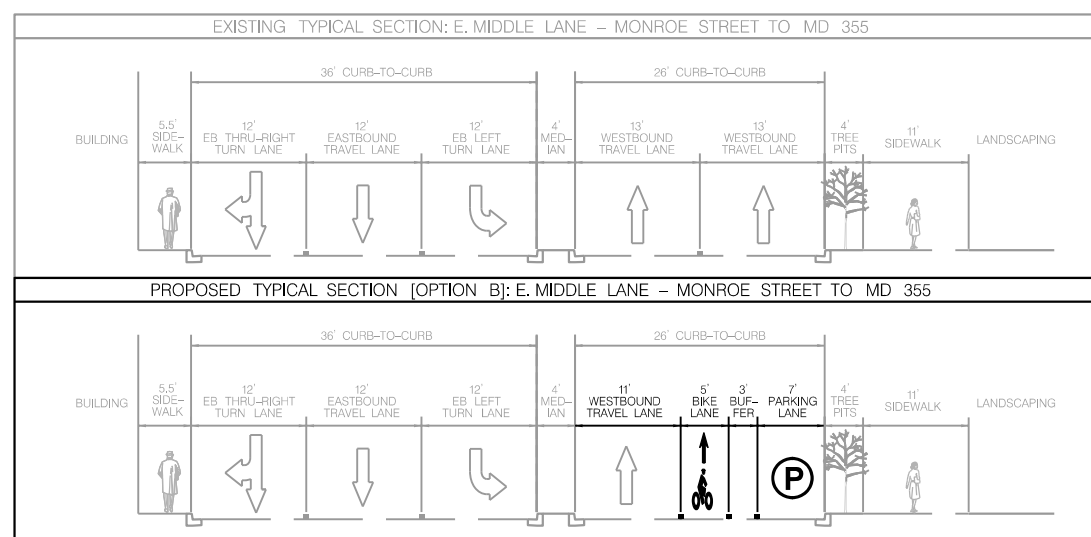
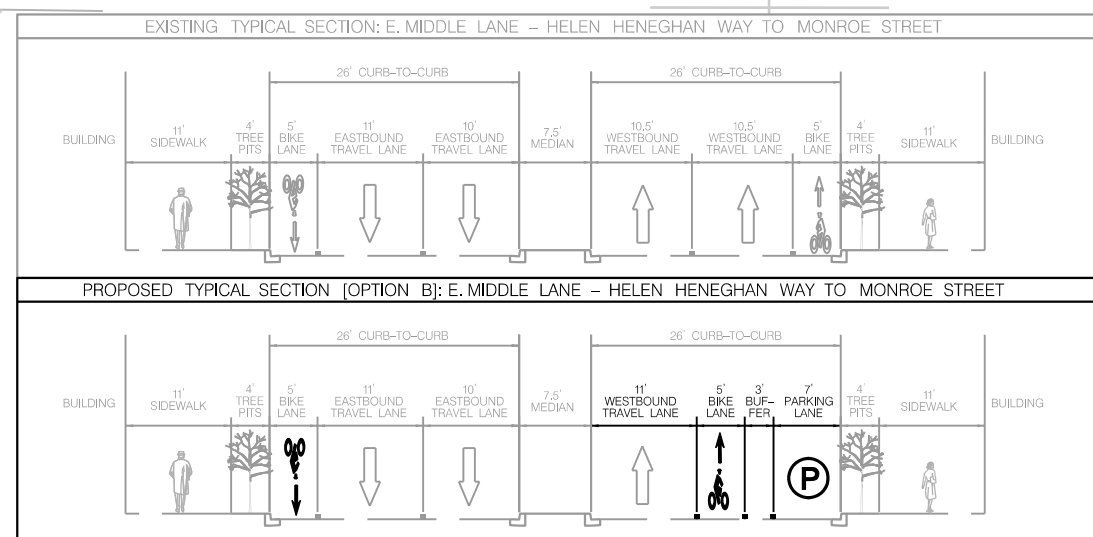
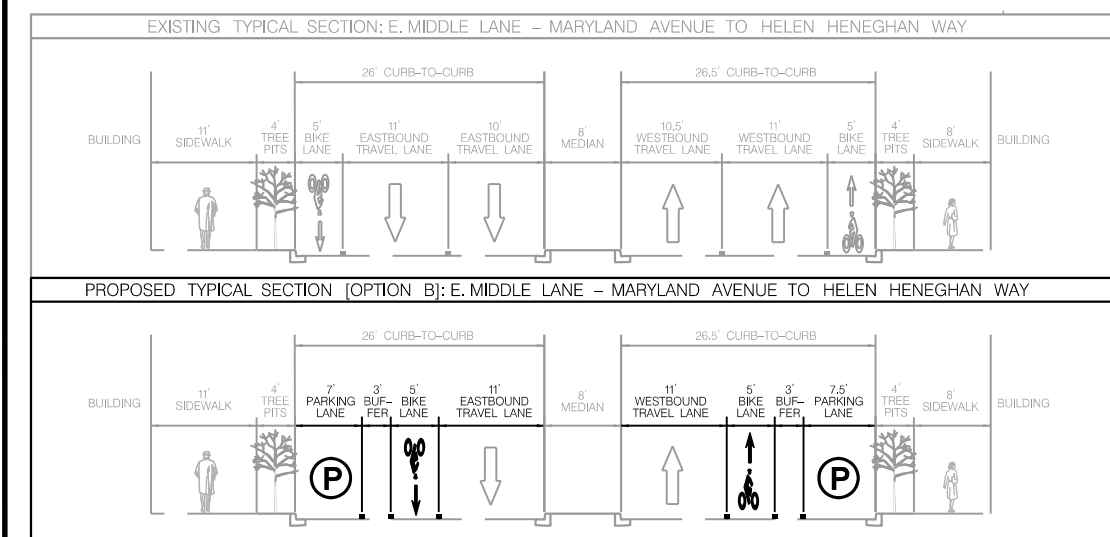
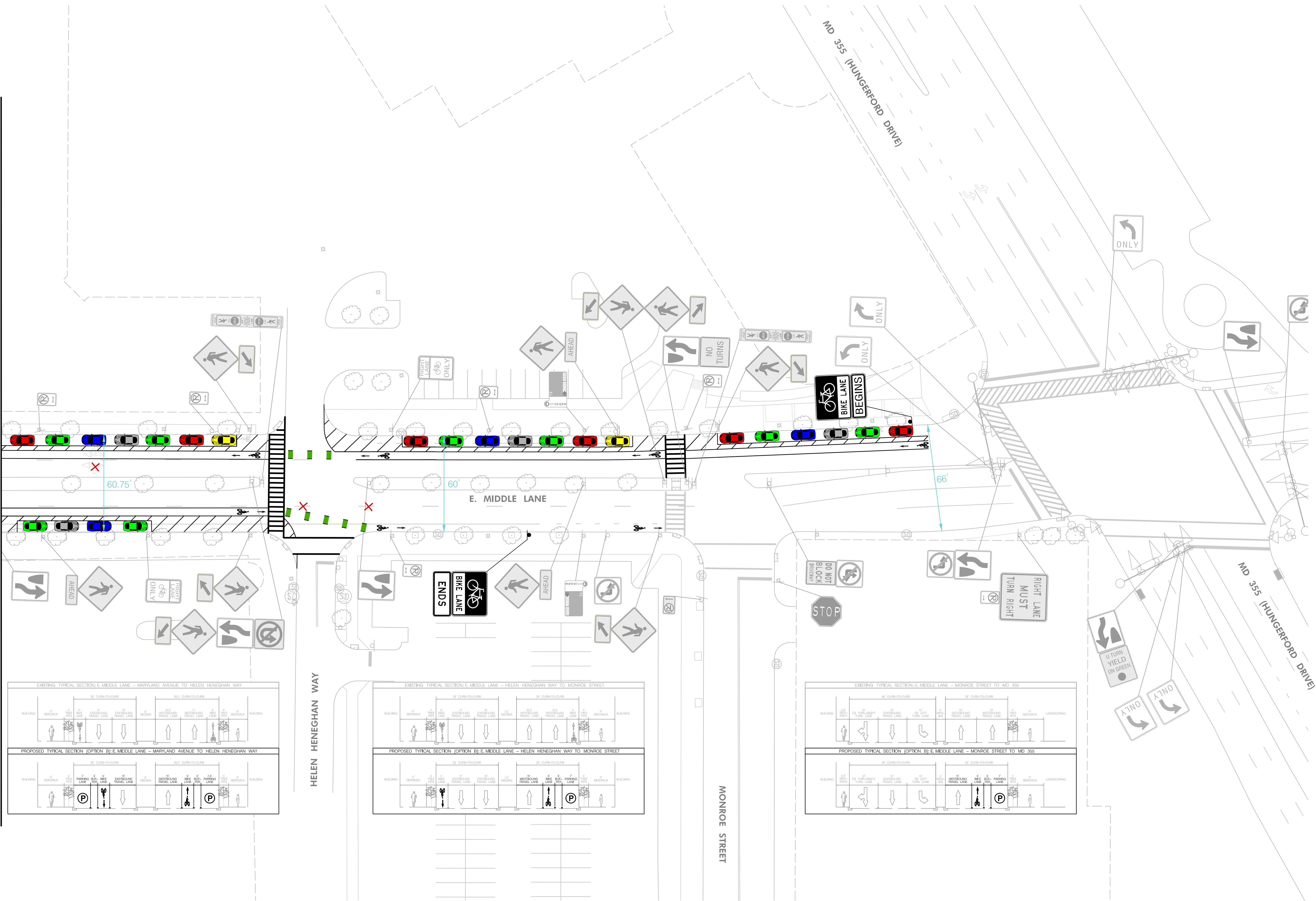
Rockville Town Center  
Proposed Concept: Option B



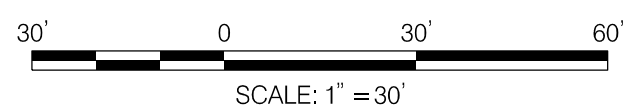




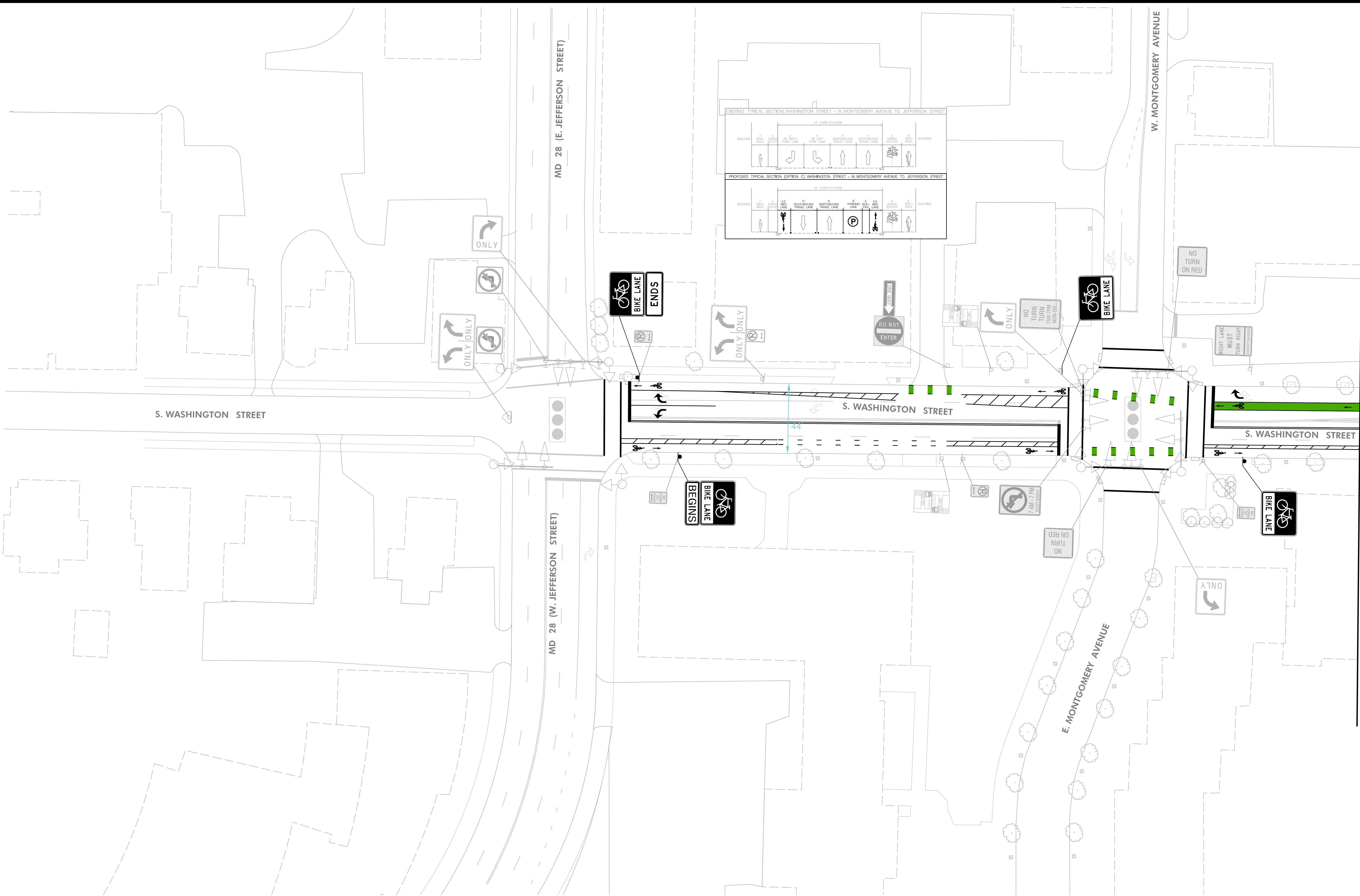
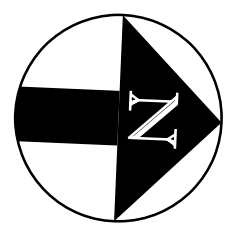
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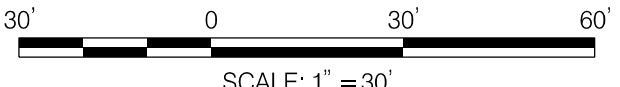
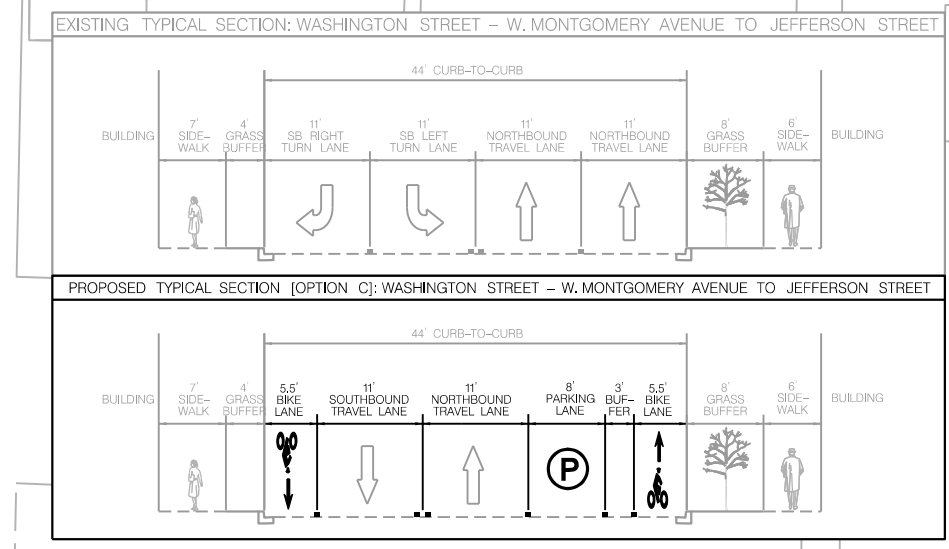
Rockville Town Center  
Proposed Concept: Option B



Sheet No. 6 of 6



MATCHLINE SEE SHEET NO.2



Sheet No. 1 of 6

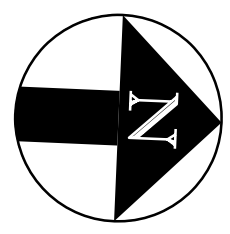
Rockville Town Center  
Proposed Concept: Option C



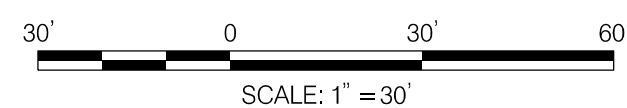




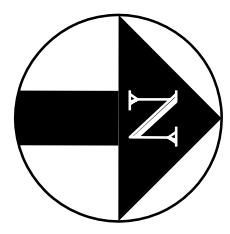




Rockville Town Center  
Proposed Concept: Option C

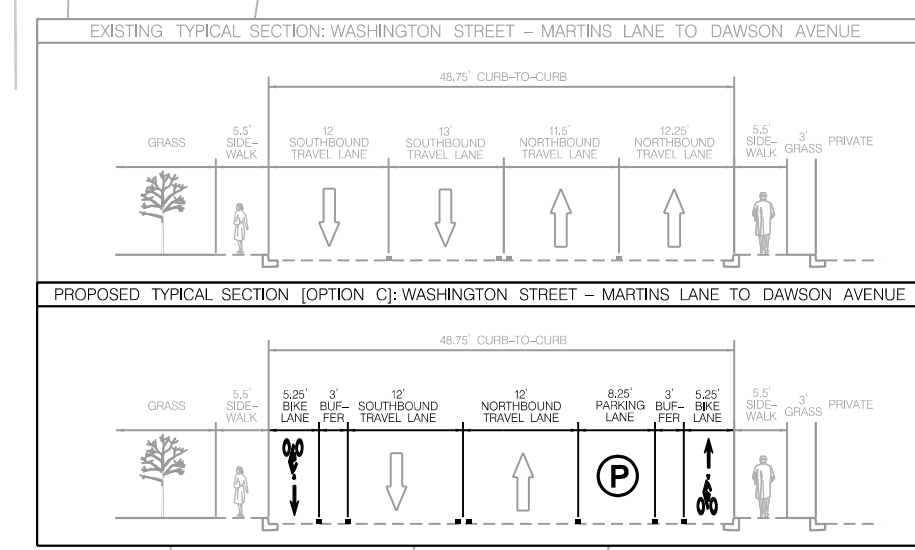
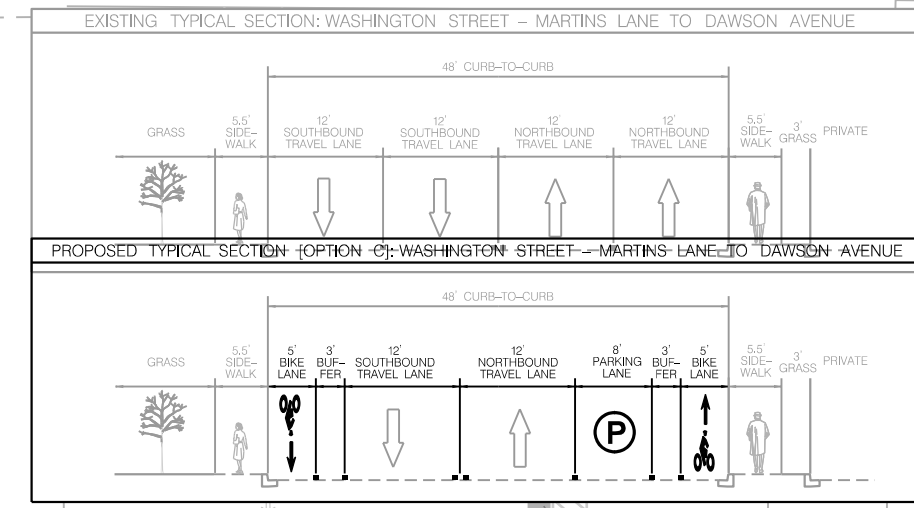
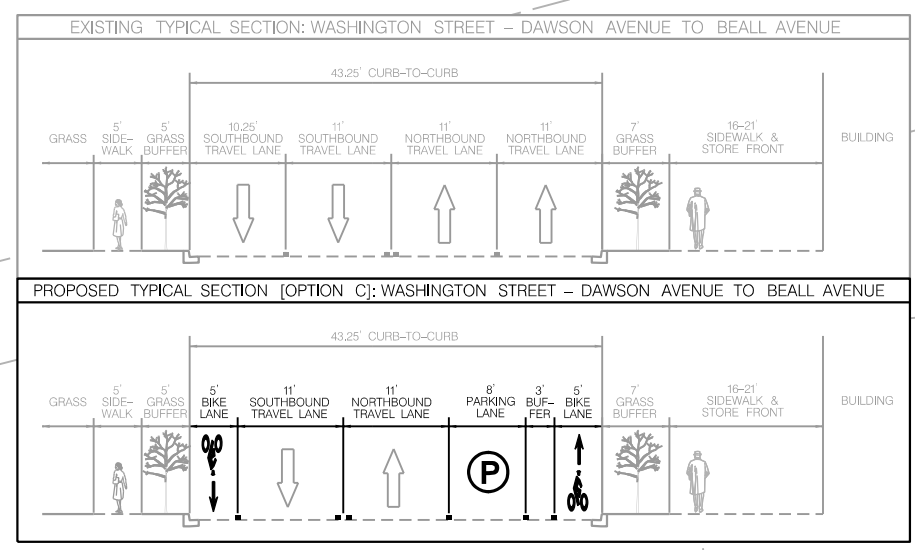




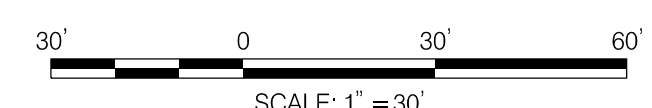


MATCHLINE SEE SHEET NO. 3

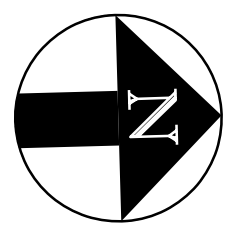
MATCHLINE SEE SHEET NO. 5



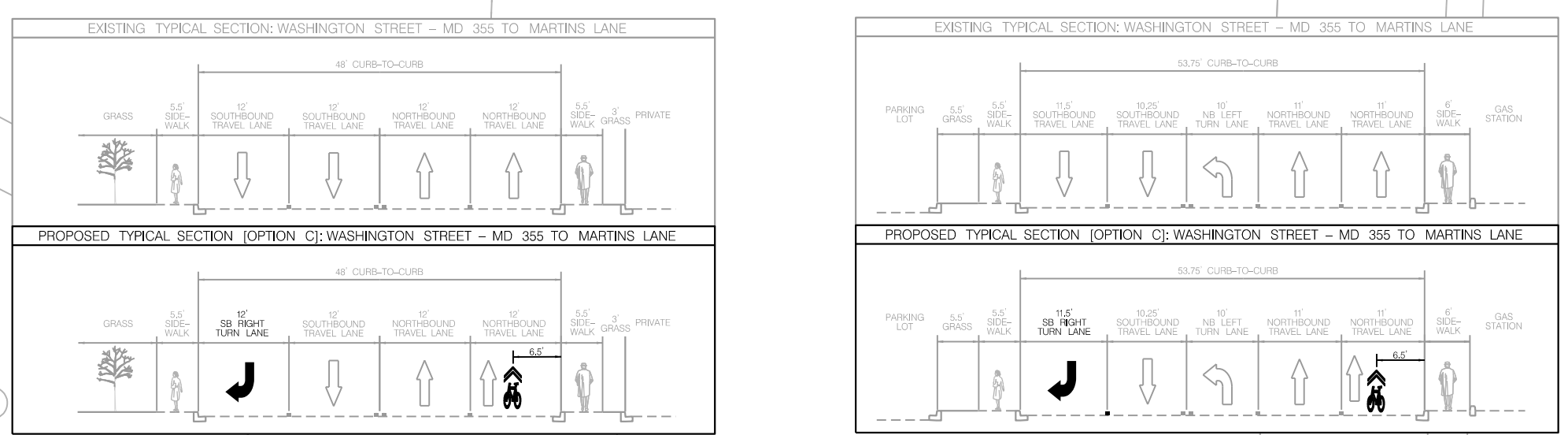
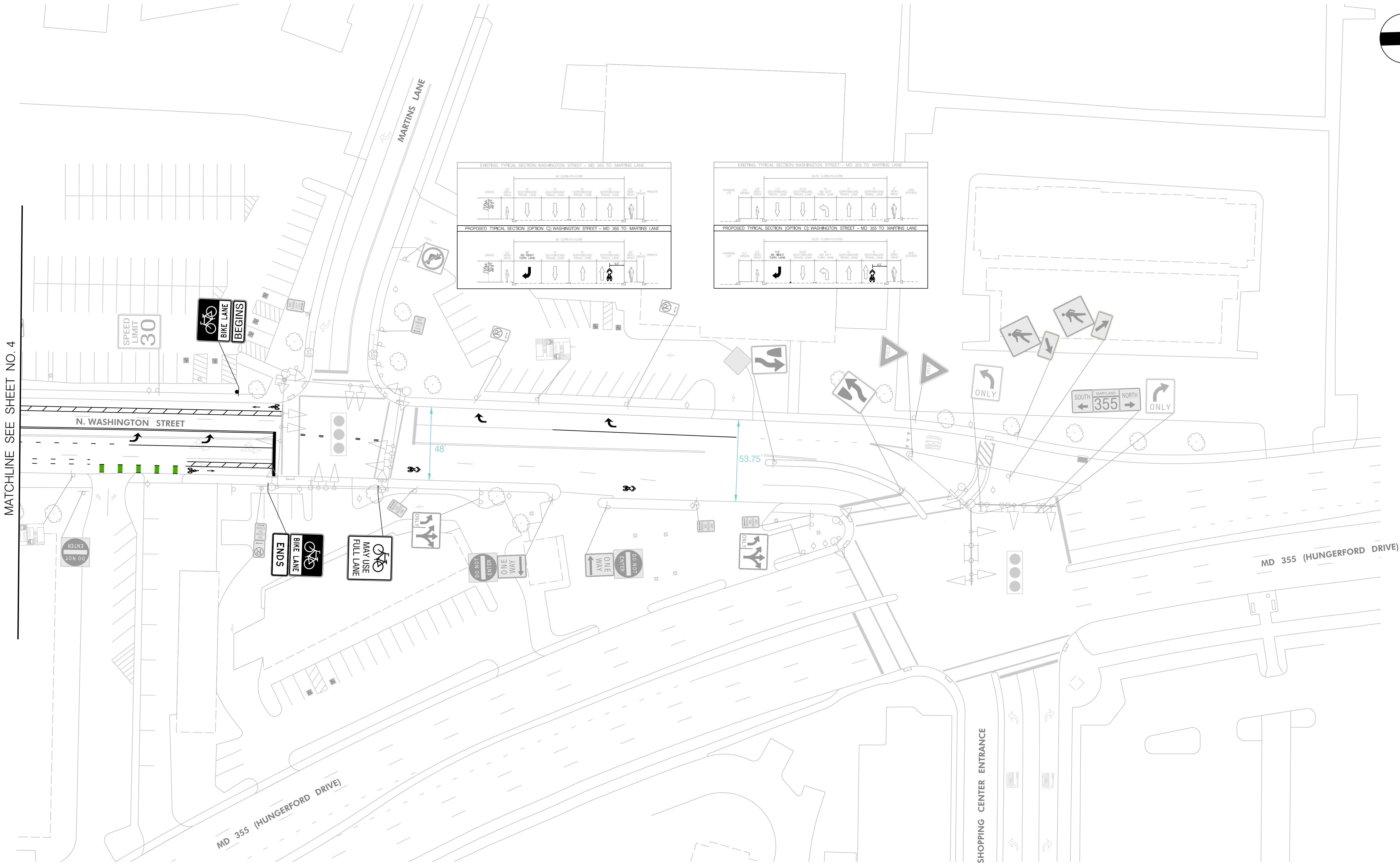
Rockville Town Center  
Proposed Concept: Option C



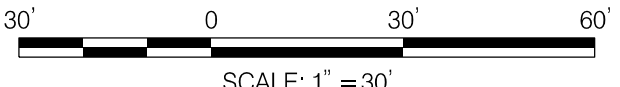




MATCHLINE SEE SHEET NO. 4



Rockville Town Center  
Proposed Concept: Option C



## **RBAC Recommendations concerning options proposed for Road Diets on Middle Lane and Washington Street (from RBAC meeting on September 2, 2020)**

### **Background**

Alyssa Roff presented slides<sup>1</sup> on Road Diets proposed for Washington Street (*Martins Lane to Maryland Avenue*) and Middle Lane (*MD 355 to Washington Street*) to RBAC at the September 2, 2020 monthly meeting. The Road Diet is proposed to transform these roads from thoroughfares into destinations leading to Rockville businesses. The Road Diet is designed to increase commerce in Rockville. With these objectives in mind, the Rockville Bike Advisory Committee (RBAC) assessed the different options and recommends the following:

### **Standard widths should be as follows**

Bike lanes should be 5 feet

Parking lanes should be 7.5 feet

Buffers should be 3 feet

Sidewalk widths should be recommended by RPAC

### **Middle Lane**

RBAC supports Option A on Middle Lane because, with the bike lane closer to the sidewalk and separated by a buffer and parking lane to vehicular traffic, this option would be safer for families and cyclists who are not comfortable biking in traffic. However, parking needs to be limited near intersection crossings to ensure visibility for pedestrians, cyclists, and drivers. Parking should be short term (e.g., limited to only 15 minutes). Turns also need to be thoughtfully configured.

An argument for Option B on Middle Lane is that it keeps cyclists away from pedestrians on the sidewalk and it allows retail to expand their space into parking lanes if needed for curbside pick-up or more outdoor space.

### **Washington Street**

RBAC supports Option A on Washington Street because option A would allow cars to turn left without holding up cars behind them or “forcing” them into the bike lane. Option A does not remove any existing parking and provides additional parking spaces.

Option B, the 2-way bike lane, is not safe and is not recommended.

### **Additional Recommendation**

Raised-surface buffers are more attractive and prevent vehicles from parking in or blocking bike lanes. Flex-post buffer lanes are not recommended as they are easily damaged and become unsightly. Simple paint does not prevent vehicles from entering, parking in or blocking bike lanes. Montgomery County is also starting to use buffered lanes. For these reasons, RBAC supports raised-surface buffers.

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<sup>1</sup> developed by Mead and Hunt, contractors for Rockville

September 21, 2020

**To Rockville Mayor and Council and Appropriate City Staff:**

The Rockville Pedestrian Advocacy Committee (RPAC) has welcomed the opportunity to review the proposed 'road diet' plans for E. Middle Lane and N. Washington Street in Rockville Town Center.

RPAC supports the basic concepts of road diets and traffic calming. Reducing lane width, eliminating unnecessary travel lanes, and adding dedicated bicycle lanes all serve to reduce vehicle speed, enhance walkability, and increase safety for all. We hope that these methodologies will be replicated throughout the city.

After reviewing the proposed options and engaging in robust internal discussion, RPAC is not prepared to recommend any single option at this time. We believe that there are several areas of concern that should be addressed and incorporated into future iterations before the Mayor and Council approve the final design and implementation.

The intent of a road diet is to create safer and more walkable spaces in pedestrian-centric areas such as Rockville Town Center. The ULI report that recommended this tactic was primarily charged with improving the "vitality" of Town Center for residents and local businesses. RPAC believes that additional focus needs to be placed on safety and walkability.

We recommend to the Mayor and Council that additional iterations of and revisions to the road diet options be presented, either by the consultant or city staff, that incorporate and respond to RPAC's concerns in the areas of Sidewalks, Accessibility, and Safety.

Our concerns are organized by category below.

Sidewalks

The current design options are curb to curb and do not address any sidewalk improvements. RPAC strongly believes that the city should take the opportunity to simultaneously address narrow and dangerous sidewalks, particularly along N. Washington Street and sections of E. Middle Lane. Sidewalks in these areas lack buffer areas to the roadway. Future iterations of the road diet should include options to widen the sidewalks or add buffer zones. We cannot wait for individual parcels to be redeveloped — RPAC believes we must take the opportunity to improve sidewalk conditions now.

### Pedestrian Safety

By reducing lane width and driver speeds, any road diet inherently increases pedestrian safety. However, RPAC recommends additional measures to further protect people in Town Center:

- Bicycle lanes should be unidirectional to reduce pedestrian hazards.
- Paint a warning to pedestrians in the street for all bicycle lane crossings and state “Look Left” as is done in London, England.
- Consider banning bicycles and electric scooters from sidewalks in the areas to be improved.
- Eliminate any option that includes a multi-directional full middle lane (aka “suicide lane”) for left turns.
- Consider using different colors to differentiate the different uses of the roadway - including clearly marking crosswalks and other pedestrian infrastructure.

### Accessibility

None of the proposed options addresses accessible parking. Future iterations of the design options should specifically show how and where accessible parking will be situated and clearly show how disabled drivers or passengers will safely route to the sidewalk.

Similarly,. RPAC members have concerns about the impact and potential obstacles that three-dimensional barriers separating parking areas and bike lanes will have on safe and accessible routes between the street and the sidewalk.

Thank you for the opportunity to provide feedback in advance of the Mayor and Council discussion on Monday, October 5. RPAC will be happy to provide additional comments and information as the conversation moves forward.

Sincerely,

Eric Fulton  
Chair  
Rockville Pedestrian Advocacy Committee





Mayor & Council Meeting Date: October 5, 2020  
 Agenda Item Type: Discussion  
 Department: Planning & Development Services  
 Responsible Staff: David Levy

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## **Subject**

Town Center Initiative - Update

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## **Recommendation**

Receive presentation and hold a discussion regarding the initiative to strengthen the vitality of Rockville Town Center.

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## **Subject**

Town Center Initiative - Update

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## **Recommendation**

Receive presentation and hold a discussion regarding the initiative to strengthen the vitality of Rockville Town Center.

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## **Change in Law or Policy**

Many components of Town Center strategy could involve changing laws or policies that govern Town Center.

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## **Discussion**

The purpose of this discussion and report is to update the Mayor and Council on actions and progress regarding the Town Center Initiative and receive any direction that the Mayor and Council may wish to provide.

The structure of the report is as follows:

- Brief background of the initiative.
- Actions taken in response to the COVID-19 emergency.
- Update on status of retail and office.
- Update on the 11 areas of action as directed by the Mayor and Council, including direction that emerged from the ULI Technical Assistance Panel (TAP) report.

Staff recognizes that there is a lot of material in this report, reflecting the high level of staff activity in pursuing Mayor and Council direction; and that many of the topics could be discussed at great length on their own. Staff provides this report as an update on all areas from previous Mayor and Council direction and discussions since October 2018, and looks forward to Mayor and Council direction on the areas upon which it wishes staff to focus.

## **Background**

The City of Rockville has, for many decades, taken various actions with the goal of having a vibrant Town Center. The most recent initiative began with the October 9, 2018 Mayor and Council Town Hall public meeting in the Buchanan Room at VisArts. The focus of that public discussion was on the dilemma that certain retailers and restaurants were struggling to be successful. The meeting was followed, on November 13, 2018, by a special Mayor and Council meeting to discuss both the input from the Town Hall and potential actions that the Mayor and Council could take. The meeting generated a list of eleven (11) areas of action, for which staff provides an update, below, in this report.

The meeting also included the Mayor and Council's decision to fund the Small Business Impact Fund (SBIF), which would be administered by Rockville Economic Development, Inc. (REDI) and whose initial focus would be on Town Center.

One of the areas of action from the November 2018 meeting was to bring in outside consulting guidance on strategies to improve Town Center vitality. An Urban Land Institute (ULI) Technical Assistance Panel (TAP) was brought to Rockville on July 9-10, 2019, for a two-day study of, and presentation on, Town Center. It was followed by a written report, entitled Rockville Town Center: Strengthening its Vitality. A link to the report can be found on the City's Web page at <https://www.rockvillemd.gov/2174/Topical-Trends-Reports>.

The Mayor and Council discussed these ULI TAP recommendations at its November 25, 2019 meeting and provided direction to staff in certain areas. Some of these recommendations were similar to areas of action that had already been generated, and some were new. Updates on the ULI TAP recommendations will also be provided, below.

Prior to the advent of the COVID-19 emergency, staff was due to return to the Mayor and Council in May 2020 to discuss the Town Center initiative and to receive direction. That discussion was rescheduled because of the high focus on emergency actions needed to respond to the COVID-19 emergency, though Mayor and Council discussions were held during the spring and summer regarding emergency actions to take in Town Center.

## **COVID-19 and Town Center – City Response**

Governor Hogan's mandated closures due to the COVID-19 emergency have brought a new dimension to the challenges of retail and restaurants in Town Center (and beyond). Since March 2020, establishments have not been able to be fully operational, especially with indoor service. Furthermore, the mandated closures of offices, courthouses and other places of employment and visiting have reduced the important Town Center daytime and after-work customer base; and both the City and Federal Realty have cancelled the many events scheduled for this time period, further reducing overall visits. Even as limited re-opening has been permitted, many potential customers have been reluctant to congregate.

To respond, the Mayor and Council and the City Manager have taken actions that provide at least some relief and opportunities to businesses and potential customers. They include:

- To facilitate carryout, pickup and delivery services,
  - Temporarily converting all street parking meters in retail/restaurant locations to a maximum time of 15 minutes, and generally relaxing enforcement on street meters, except for egregious cases.
  - Approving a Federal Realty proposal to designate certain street parking spaces as The Pickup.
- In a joint PDS-DPW effort, establishing a system to provide a rapid response to applicants, anywhere in the city, who wish to expand their areas of outdoor seating beyond what is already approved in their site plans. The majority, but not all, of applications have been for restaurants. To date, 23 such applications have been approved citywide, with 13 being in Town Center.
- Closing Gibbs Street and a portion of E. Montgomery Avenue in order to permit establishments to use some of the right-of-way for expanded outdoor seating and other activities.
- Approving Federal Realty's proposal to use an expanded area in the Town Square Plaza for outdoor seating (they have not yet used this permission).
- Approving Dawn Crafton Dance Studio to use portions of City right-of-way and the Plaza to conduct outdoor end-of-session, socially-distanced recitals.
- Permitting VisArts to defer payment on some rent payments to the City.
- Approving VisArts' proposal to facilitate artists' placement of artwork in vacant storefronts in Town Square.

Other actions and initiatives have included the following:

- MC 1. REDI has been a central source of information for businesses seeking emergency, or other, assistance from Rockville, Montgomery County, the State of Maryland and the US government.
- MC 2. City staff developed and publicized on the City website a list of Rockville restaurants that were open for carry-out and outdoor service.
- MC 3. Public Works has continued to make improvements to pedestrian safety and accessibility.

MC 4. For the first four months of the COVID-19 emergency, Federal Realty left the gates open on the Town Square public parking garages, making parking free. As partial reopening began, Federal Realty made the decision to lower the gates and start to charge for parking again as an increasing number of drivers were taking advantage of the open garages for activities not related to Town Square or for long-term parking.

As the health emergency evolves and, we hope, dissipates, it will be important to remain in contact with businesses, property owners, residents and institutions in Town Center (and throughout the city) to respond to changing circumstances. A key area for tracking is how the change in weather will affect the desire for outdoor service, especially if the pandemic continues further into the fall and winter, and many customers remain reluctant to move indoors. Staff suggests that the City should remain nimble to be able to respond to needs that emerge.

### **Status of Retail/Restaurants and Office Users in Town Center**

#### ***Retail/Restaurants***

Despite these efforts, permanent closures in Town Square have occurred during this health emergency, including long-time tenants Jouvence Aveda, La Tasca and Thai Pavilion. In some cases, such as with Thai Pavilion, the owners were already seeking to retire. In others, however, the economic shock precipitated the closure.

Such closures are by no means limited to Town Square or Rockville, as the COVID-19 emergency is affecting establishments throughout the country and world. National journals and retail consultancies have produced articles speculating on the long-term impacts on retailing. The impacts will not be fully understood until the length and extent of government-enforced restrictions are known, and the public/customer response to re-opening is known. However, permanent closures, including of entire national chains, are regularly announced in national publications.

Closures in Town Center have been balanced in recent weeks by new tenants, including a new nail salon, a newly-announced restaurant for the space previously occupied by Pandora, and the planned opening of a restaurant facing the Town Square Plaza within a portion of the space formerly occupied by Mellow Mushroom. In addition, Gold's Gym has renewed its expiring lease; and some businesses in Town Square, along E. Montgomery Avenue and elsewhere have been able to take advantage of the outdoor seating and carry-out opportunities to keep their businesses open and their customers connected. In general, businesses that have been able to pivot to online ordering, carry-out service, and creative use of technology have fared better than those who rely almost exclusively on an in-person model. Anecdotally, from one retail broker who is working on Town Center, the last three months have seen an increase in interest by prospective tenants.

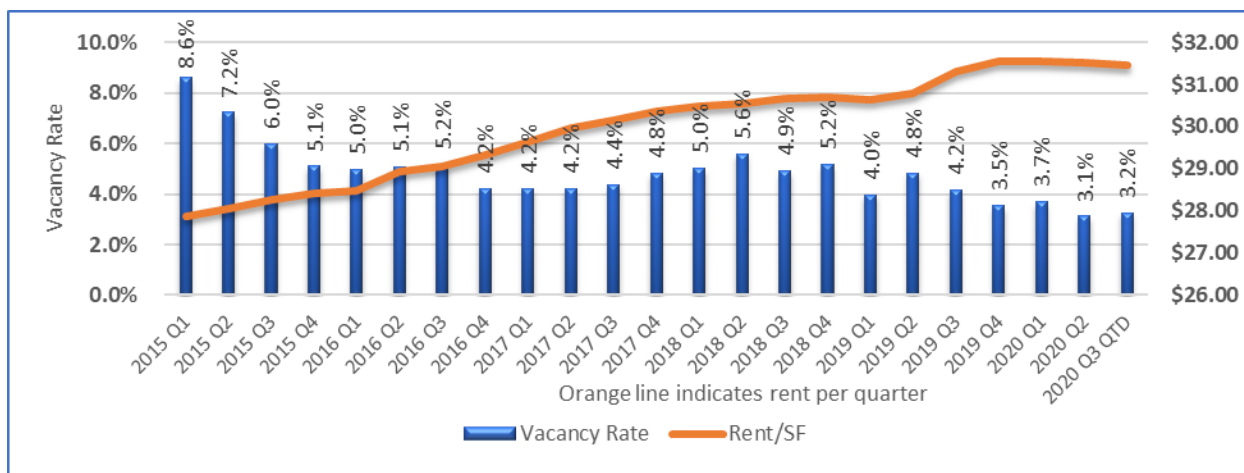
Data on retail vacancy and rents as of June 2019 (2<sup>nd</sup> quarter of last year) were shown as part of the ULI TAP study, for the Town Center study area, and are updated here in Figure 1 with data

from CoStar, which is a subscription service that provides real estate data. To maintain the comparison with the TAP study, data comes from the same area as the TAP data, which is shown in Attachment A. Figure 1, below, shows that Town Center had been strengthening during the second half of calendar year 2019 and into early 2020, as vacancy had been declining and rents had been increasing since June 2019. Though the data does not show significant changes for the 2<sup>nd</sup> quarter (March – June) or the portion of the 3<sup>rd</sup> quarter reflected in this data (July and August), staff will continue to monitor the data to discover whether changes begin to appear.

It is important to keep in mind that storefront closures do not necessarily translate immediately into vacancies, especially if there is a continuing lease on the space. In addition, many landlords are allowing their tenants to defer rent payments, if those property owners are financially able to do so, thereby not forcing the tenants to close permanently. Some national publications and commentators are anticipating that vacancy may increase in the future as the impacts of the federal, state and local support programs dissipate, especially if full occupancy, with full confidence of customers, does not return in the near future.

**Figure 1: Town Center Retail: 2015 – 2020**

**Vacancy rate and rent per square foot for retail properties in Town Center**



### Office

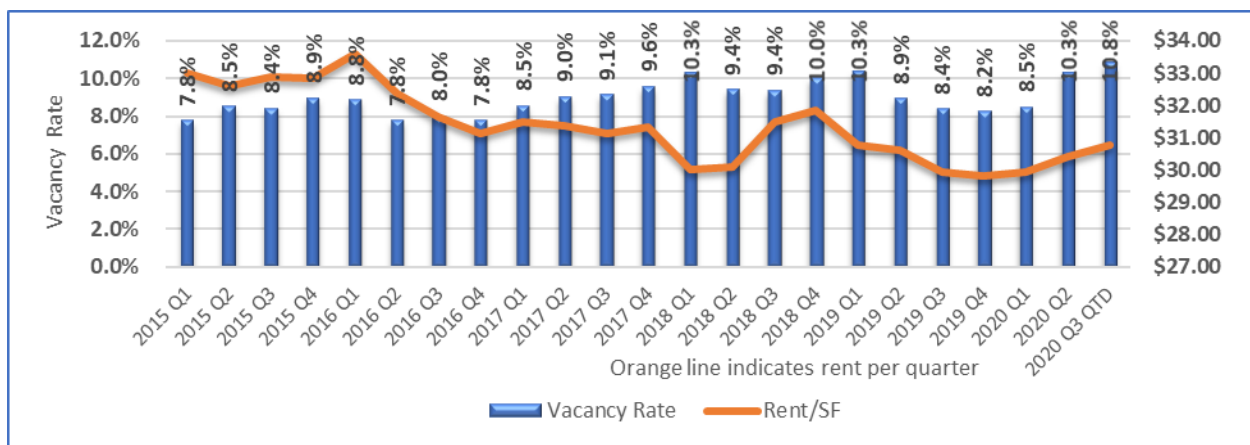
Many office workers have been working from their homes since March and have learned how to be productive in this new work setting. There is a wide range of speculation regarding how permanent this working from home will be, and for what percentage share of the office work force this will represent. In a September 22, 2020 virtual panel on real estate sponsored by the Rockville Chamber of Commerce (panelists were from B.F. Saul, Federal Realty and Scheer Partners), the panelists acknowledged that they do not yet know the long-term impacts on the office market (or retail), and it may take 12-18 months before there is a better understanding. Staff does not wish to predict the future in that regard.



CoStar data (Figure 2) shows an increase in office vacancy in Town Center since the beginning of the pandemic, beginning in the second quarter of 2020; but the rate is still within bounds of a normal cycle. The coming vacancy of the large 255 Rockville Pike office building, which has been occupied for decades by Montgomery County government functions, is likely to affect these rates in future reports. In contrast, the grey courthouse building will be increasingly occupied by County government functions. Because that building is owned by the County, rather than a private commercial property owner, its vacancy status is not tracked by CoStar.

**Figure 2: Town Center Office: 2015 – 2020**

**Vacancy rate and rent per square foot for office properties in Town Center**



City staff and REDI will continue to monitor conditions as they evolve, during and after the COVID-19 emergency.

### **Town Center Initiative – Longer Term**

This section will review the areas of action as previously directed by the Mayor and Council on November 13, 2018 and March 25, 2019, with identification of the relevant ULI TAP recommendations.

#### **MC 1. Address parking challenges in Town Square.**

Parking was raised by many people at the October 2018 Mayor and Council Town Hall and has been a subject of conversation since Town Square opened in 2006-7. Staff has had numerous conversations with Federal Realty, which manages and collects the revenues on the Town Square garages, in exchange for lease payments to the City. As a result, any periods of free parking in the garages would come at the expense of revenues to Federal Realty. Staff and Federal Realty have repeatedly discussed what cost Federal Realty would require for there to be periods of free parking at key times of the week, beyond the

validation system currently in place. To date, no cost agreement has ever been reached that staff is prepared to recommend to the Mayor and Council.

*MC 2. Create a City position whose focus would be to improve the business climate in Rockville, including in Town Center. (Completed)*

*MC 3. Commission a retail study of Town Center to understand and identify policy issues that the Mayor and Council could address to support the vitality of Town Center.*

In service of this area of action, the Mayor and Council directed staff to bring a ULI Technical Assistance Panel (TAP) to Rockville to provide recommendations. The TAP identified that there are competitor locations not far from Town Center, leaving Town Center with fewer potential customers than is ideal for the existing amount of in-place retail/restaurant offerings and spaces. Most of the specific recommendations were designed to increase the number of potential customers, though the TAP also recommended not promoting an increase in retail stores that would compete with existing retail in Town Center.

The TAP recommended increasing the number of customers by:

*TAP A. Creating a brand for Town Center that would be followed by promotional activities to attract visitors to Town Center.*

A branding initiative was discussed, for both Rockville as a whole and for Town Center. This effort, which would have been facilitated by a branding consultant, was ultimately not funded in FY 2021 due to COVID-19 budget restrictions.

*TAP B. Improving the pedestrian environment by making streets more pedestrian oriented ("Road Diet").*

Many spot pedestrian improvements have been made in Town Center and continue to be made as they are identified. In addition, a study of E. Middle Lane and N. Washington Street was conducted, in accordance with Mayor and Council direction. A separate agenda item managed by the Department of Public Works is addressing this topic on October 5.

Another recommendation of the TAP was to implement the extension of Maryland Avenue north of Beall Avenue, to meet in a "T" with Dawson Avenue. This recommendation is entirely consistent with the 2001 Town Center Master Plan. Design is underway on this project, including how to ensure that the streets will be pedestrian oriented and incorporate additional open space.

*TAP C. Keeping and attracting anchor institutions and other non-retail activities.*

For many years, City staff and REDI have understood the importance of this component, which is why attracting the Choice Hotels headquarters and its headquarters hotel Cambria Suites was such a high priority in the past, and why retaining the headquarters is of great importance. Attracting the headquarters of Aronson continued this activity. Staff and REDI regularly talk with nonprofit organizations and businesses about the advantages of being in Town Center.

*TAP D. Improving the connections with Montgomery College* so that the 15,000 students and additional staff within one mile can have easier access to Town Center. Two components were recommended for study:

- i. Making a more-direct walking-biking connection between the college and Town Center. Staff has done a site visit to explore options and has developed three potential alignments that are being investigated for feasibility, and for the willingness of the Montgomery County Board of Education to pass through its property.
- ii. Exploring whether the Montgomery College would be willing to have its shuttle pass through and stop in Town Center. The current relevant shuttle travels between the Rockville and Takoma Park campuses. The purpose of the shuttle system is to bring students and staff between the campuses as quickly as possible. The Rockville-Takoma shuttle travels from the Rockville campus along Mannakee Street, and then to Nelson Street, to get onto I-270, for a trip of approximately 40 minutes. The reason for the shuttle service is that riding public transportation (RideOn and Metrobus) normally takes 75-90 minutes. Montgomery College staff in charge of transportation service has said that maintaining that time is critical to the users. Adding time to the trip would diminish the advantage over public transportation and call into question the reason for the shuttle's existence. The shuttle is not currently operating because Montgomery College is almost entirely functioning virtually, and staff does not anticipate the shuttle operating until at least the second semester.

College transportation staff has indicated a willingness, though with no commitment at present, to consider a route through Town Center, but only if it would not add significant time to the overall trip. One example could be a route that includes a stop in Town Center along N. Washington Street (or Maryland Avenue), with a connection to I-270 at the Falls Road (Maryland Avenue) interchange. City staff will remain in contact with college staff to explore this possibility. College staff indicated that a decision of this nature would probably not be made until after the shuttle service has started again and as more-normal traffic conditions permit a comparison of trip times.

*TAP E. Improving the Rockville Metro Station, including the connection with Town Center (and neighborhoods to the east).*

WMATA has allocated up to \$350,000 for a study of the Rockville Metro Station. A draft scope of work for the study will be discussed with the Mayor and Council on October 19<sup>th</sup>, with participation of WMATA and Montgomery County Department of Transportation staff.

*TAP F. Improving and providing additional open spaces and artwork.*

As discussed during the November 2019 Mayor and Council meeting, a good venue for discussing the Town Center open space network would be in an updated Town Center Master Plan, which staff recommends be a step to take after the completion of the Rockville 2040 update to the Comprehensive Plan. In the meantime, enhancing the open spaces that currently exist can be done through individual projects. A potential plan to redesign Promenade Park (the open space near the pedestrian bridge to the Rockville Station) was deferred due to budget constraints. However, artwork is being added in Town Square through a project with VisArts; and other initiatives can be explored.

*TAP G. Permitting higher density development in specific locations, to add more residents and potential customers to support merchants.*

The TAP recommended locations where higher maximum building heights could be permitted, while also recommending that those increased heights could face towards the business/government downtown rather than being impactful on the adjacent neighborhoods. The Rockville 2040 update to the City's Comprehensive Plan is the appropriate forum for this discussion. The Planning Commission is expected to complete its recommendation on this (and other) Plan components in the near future, perhaps as soon as the end of this calendar year. The Mayor and Council will then have the opportunity to address this matter, taking into account public input.

The current draft that the Planning Commission is considering does include a recommended change on the west side of N. Washington Street (pages 10-12 of Volume 2: Planning Areas <https://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>). The current zoning on those properties is MXNC, which permits mixed-used development and has a maximum height limit of only 45 feet. The TAP identified this height limit as a reason why there has been no development for decades along those blocks. They recommended, in both their presentation and report, that heights of buildings facing N. Washington Street be permitted to match the height limits permitted on the east (Town Square) side of N. Washington Street, which is 75 feet (MXCD); but that the height limit be

scaled down toward the west so that the building heights would not be out of scale with the structures immediately to the west. The current MXNC zoning comes directly from recommendations within the Town Center Master Plan (2001) (pages 86-87, <https://www.rockvillemd.gov/DocumentCenter/View/27812/Town-Center-Neighborhood-Plan?bidId=>), in which the TC-1 area is recommended for a height limit of 45 feet. TC-1 is the area that aligns with the current MXNC zoning. Since the Town Center Master Plan is part of the current overall Plan, staff recommends that a Plan change should take place before a zoning change is made.

*MC 4. Increase the promotion and the presence of arts, science, heritage and culture.*

The City has provided funds for additional activities in these areas, especially before the advent of COVID-19. Since March 2020, the budget has become more limited. Nonetheless, some actions have been taken, as mentioned above in TAP F. One area for potential discussion is whether Town Center should be designated as an arts and entertainment district. On October 19<sup>th</sup>, the Mayor and Council will be discussing the various types of districts that could be considered, including this concept.

*MC 5. Create a Town Center task force of engaged merchants and residents.*

Staff has not yet received direction whether this action, which was also a recommendation of the ULI TAP, should be pursued and, if so, how it should be done.

*MC 6. Examine regulations to determine whether there is sufficient permitted development density in Town Center to support its vitality.*

This area was discussed above in the context of the ULI recommendations (TAP G).

*MC 7. Regular meetings with commercial- and residential-building property owners in Town Center.*

REDI has coordinated and conducted these meetings.

*MC 8. Develop and implement an economic development strategy for Town Center that includes recruiting one or more new large-scale activity generator(s).*

This activity has been partially fulfilled by the ULI TAP. The limited nature of the engagement, however, did not permit a more thorough investigation that would lead to a complete economic development strategy. During prior discussions with the Mayor and Council, staff reported that the City had submitted an application for a State of Maryland grant to study this topic. That application was not successful. Staff recommends that a full economic development strategy for Town Center not be initiated at this time, during the



uncertainty related to COVID-19 and its impacts on commerce and the office market; but that it be revisited in the next year or two as market direction begins to become more clear.

*MC 9. Consider revisions to the City Sign Code that may help with business retention and attraction (Completed).*

*MC 10. Explore approaches to facilitate coordinated action among the public and private sectors, and alternative mechanisms to raise funds.*

On October 19<sup>th</sup>, the Mayor and Council will have the opportunity to explore options to consider among the various types of districts that exist in downtown areas throughout the country. This will include an exploration of Business Improvement Districts (BIDs) and Tax Increment Financing (TIF) districts. The upcoming discussion will serve as the first Mayor and Council approach to this topic.

*MC 11. Improve access to Town Center, especially from nearby activity areas.*

There are two components to this area of action:

a. Transportation improvements, including:

- i. Street-level pedestrian improvements, including studying E. Middle Lane and N. Washington Streets (discussed above, in TAP B, and in the companion October 5<sup>th</sup> agenda topic).
- ii. Access to/from Montgomery College (discussed above, in TAP D).
- iii. Improvements to the Rockville Metro Station, including the connection across MD 355 to the Town Center activity area, as well as neighborhoods east of the station (discussed above, TAP D).

b. Wayfinding

The wayfinding project, as directed by the Mayor and Council, was delayed just after the ULI TAP project was completed, because developing a brand, as recommended by the TAP, was seen as important to do in advance of developing a wayfinding package. With the visioning and branding not funded for this fiscal year, as discussed above, staff will bring forward a discussion of this project to the Mayor and Council on November 19<sup>th</sup>. The Department of Public Works is the lead agency for this project.

## **Conclusion**

Staff has been very active in working to implement Mayor and Council direction regarding Town Center, including the direction in response to COVID-19. Staff recommends that the Mayor and

Council endorse the continued actions that staff is taking in response to previous Mayor and Council direction, and provide any updated direction and feedback that it wishes to make.

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### Mayor and Council History

The Mayor and Council have discussed Town Center many times over the past decades. Key dates relevant to the current initiative are:

October 9, 2018	Mayor and Council Town Hall.
November 13, 2018	Special Town Center Mayor and Council meeting, including discussion of public input from the Town Hall and approving the funding of the REDI-financed Small Business Impact Fund.
March 25, 2019	Mayor and Council discussion of the areas of action and direction to bring a ULI TAP to study Rockville Town Center.
July 10, 2019	ULI TAP presentation in the VisArts Buchanan Room.
November 25, 2019	Mayor and Council discussion of the ULI TAP presentation and report.

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### Public Notification and Engagement

Public notification and engagement with respect to Town Center has been robust and active for many years. Staff looks forward to any additional direction in this regard from the Mayor and Council.

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### Next Steps

Staff will continue to implement previous Mayor and Council direction and any direction provided from this discussion.

### Attachments

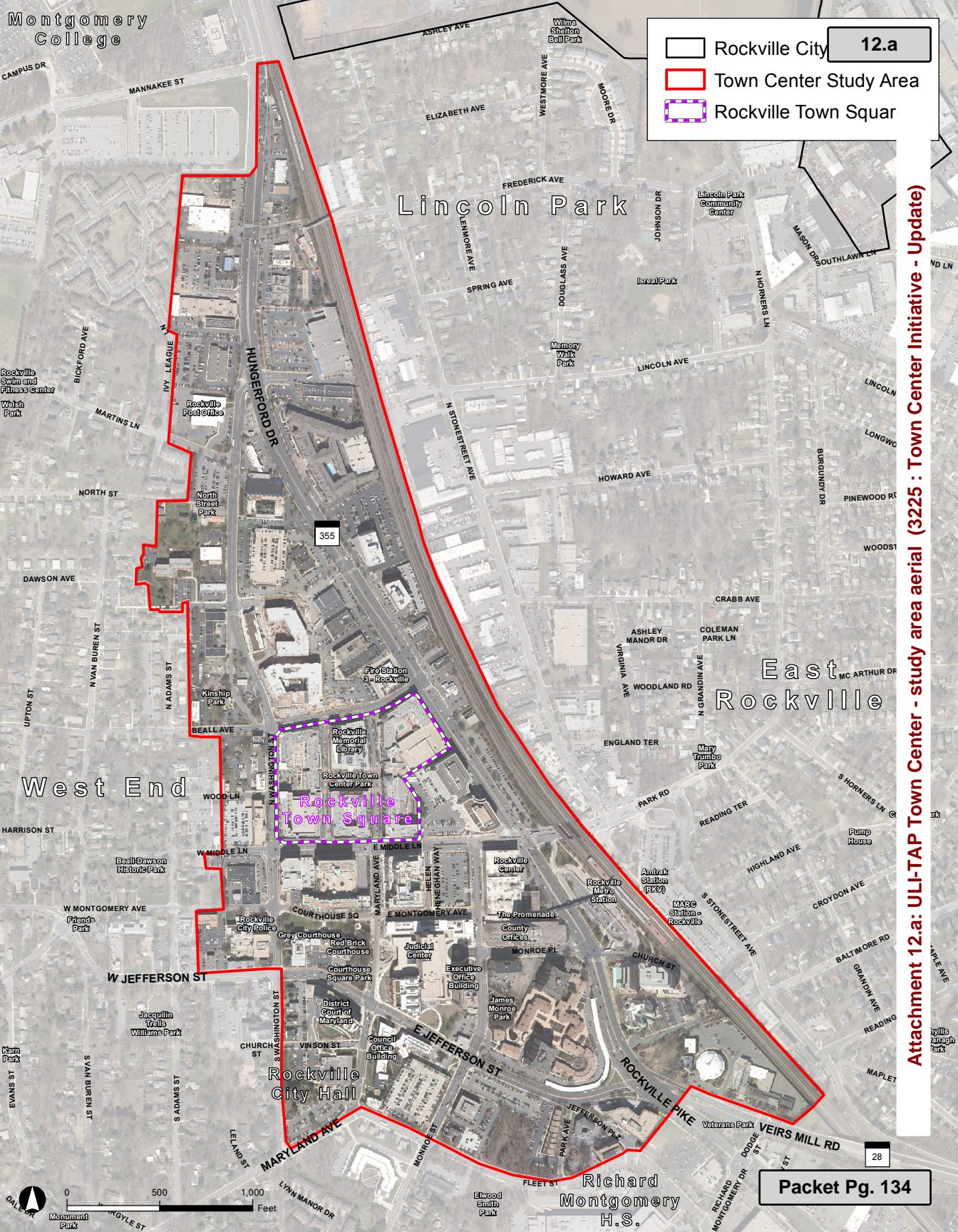
Attachment 12.a: ULI-TAP Town Center - study area aerial (PDF)



Rob DiSpirito, City Manager

9/28/2020





- Rockville City 12.a
- Town Center Study Area
- Rockville Town Square





Mayor & Council Meeting Date: October 5, 2020

Agenda Item Type: Discussion

Department: PW - Traffic & Transportation

Responsible Staff: Emad Elshafei

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## **Subject**

Undergrounding of MD 355

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## **Recommendation**

Staff recommends that the Mayor and Council discuss undergrounding MD 355 and other related items, provide feedback on whether to pursue this concepts or other related concepts, and how this should be communicated to the State who owns the road, and other related parties.

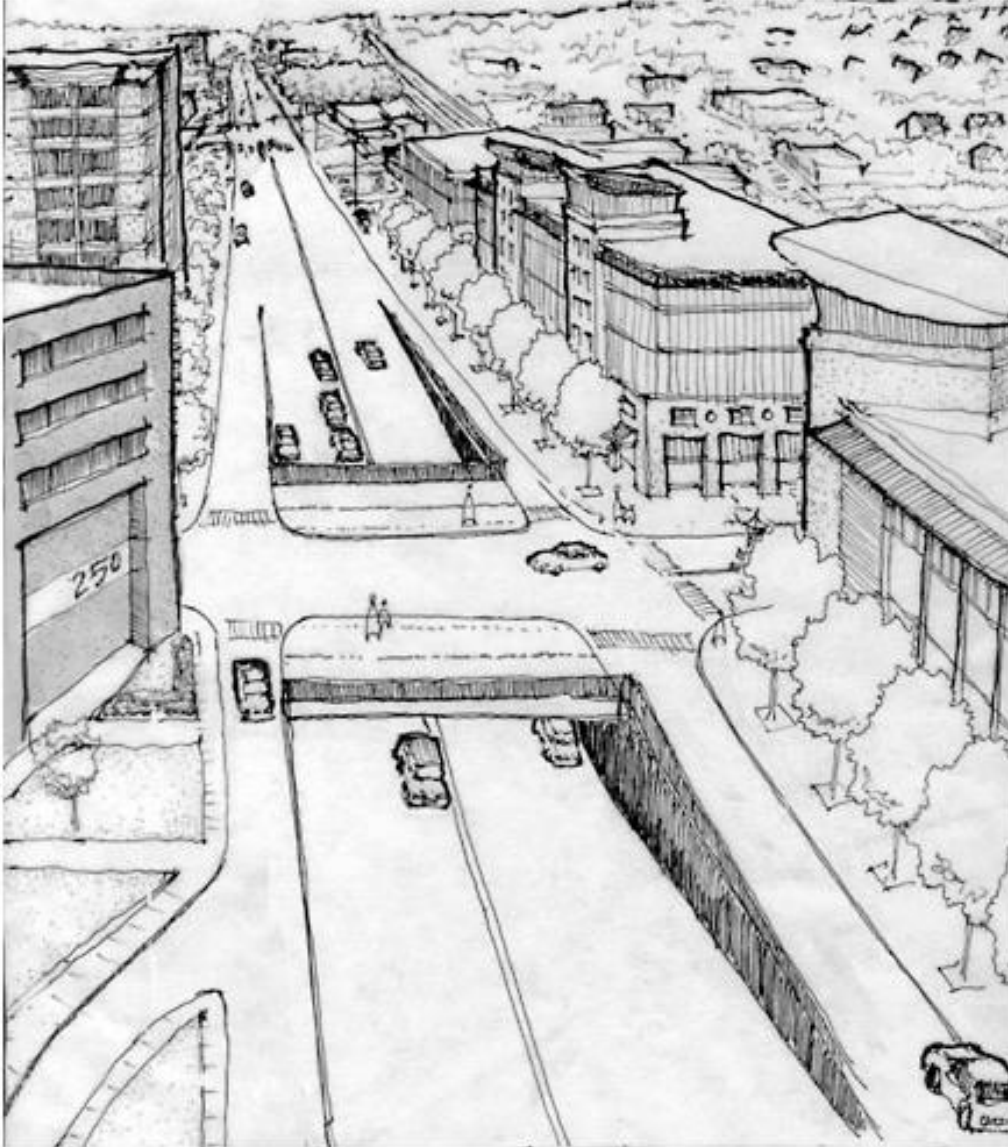
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## **Discussion**

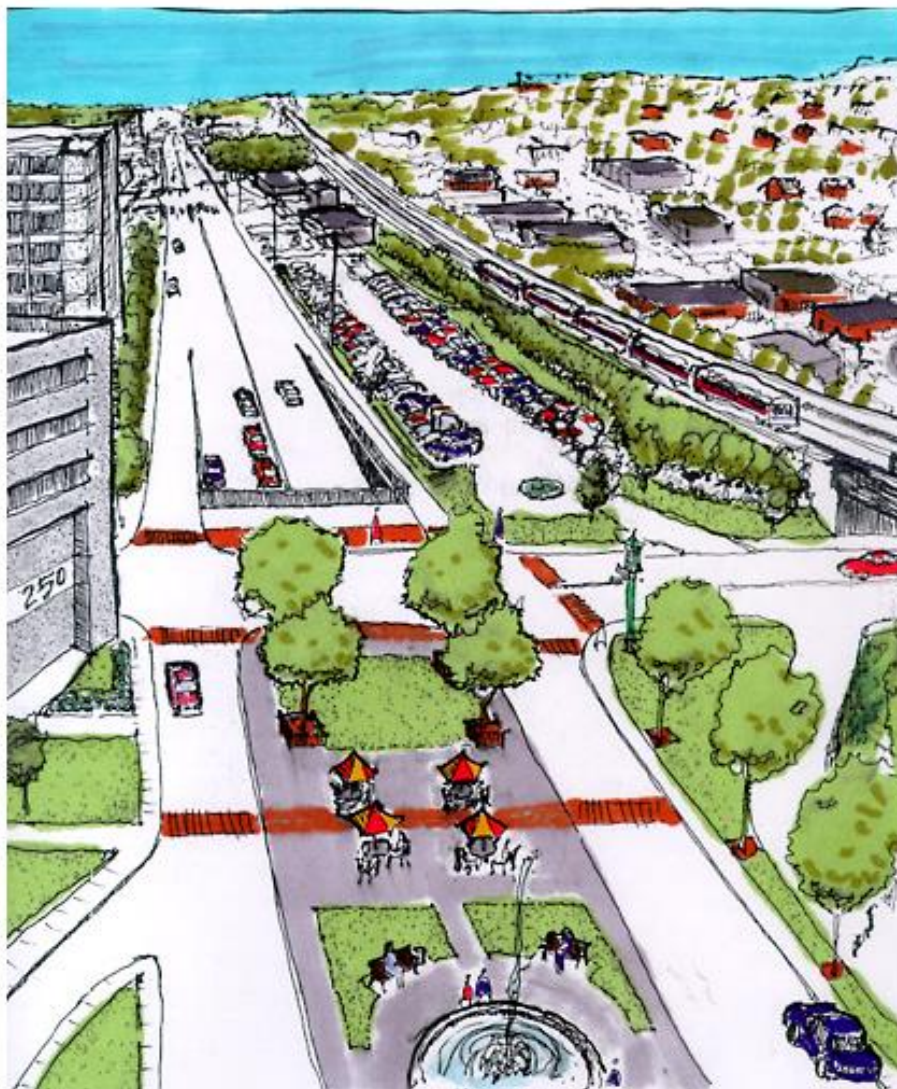
This agenda item is being brought forth at the direction of the Mayor and Council for the discussion of potentially undergrounding of Maryland State Route 355 (Rockville Pike) in Town Center. Staff also recommends that the discussion include other potentially related elements, such as a pedestrian promenade or other amenity in the roadway that the current Town Center Master Plan and other documents envision. In preparation for this discussion, staff has prepared the following summary of background information.

### Rockville Town Center 1990's Tunnel Renderings

The topic of potentially undergrounding Rockville Pike in Town Center has been discussed for at least three decades. While the road is owned by the Maryland State Highway Administration (SHA), the City hired an architectural firm in the 1990s to provide a series of renderings, as shown below. However, no engineering, cost or traffic analysis was performed at that time.







### Rockville Town Center Master Plan

In 2001, the Rockville Town Center Master Plan included language about the potential undergrounding. The Plan indicated that the idea of depressing MD 355 in order to separate through-traffic (to be sent underground) from local vehicular and pedestrian traffic (to stay at the surface level) would provide the ideal long-term option for improving connectivity between the Metro station and the Town Center, and offer a better street-level crossing experience for those coming to Town Center from the east side of the tracks. Proposed improvements included an elevated pedestrian promenade, 25 feet above the level of the railroad tracks (Town Center Master Plan p. 52, <https://www.rockvillemd.gov/DocumentCenter/View/27812/Town-Center-Neighborhood-Plan?bidId=>), which would “represent the ‘lobby’ or entry level to the Town Center for those arriving on Metro.” The promenade was viewed as a visually stimulating architectural

statement that provides a positive entry at the transit site. Finally, the Plan stated that the undergrounding of MD 355 could be a dynamic companion piece to the pedestrian promenade if cost and engineering logistics are resolved. “The pedestrian promenade, however, can and should be pursued pending finalization of the likelihood of the undergrounding of MD 355.” (P. 51, TCMP).

#### 2015 Bus Rapid Transit (BRT) Town Center Integration Study

In 2015, a Bus Rapid Transit (BRT) Town Center Integration Study was conducted to identify possible design solutions for integrating BRT in the Rockville Town Center area. The City has been engaged in the BRT corridor planning efforts conducted by Montgomery County and the Maryland Department of Transportation for MD 355 and Veirs Mill Road. The City initiated the 2015 study to understand how the BRT routes could be accommodated, while enhancing the Town Center area, where so much investment and redevelopment have already occurred under the guidance of Rockville’s 2001 Town Center Master Plan.

Along those lines, the study explored the concept of a tunnel that would carry through-traffic in lanes that would descend under the existing MD 355 grade, then later emerge back to the existing grade. Through-traffic on MD 355 would be diverted to a 0.70-mile long, four-lane tunnel whose extent would be between a location south of Dodge Street and one north of Beall Avenue. Existing at-grade travel lanes would be reconfigured to provide, in the median of MD 355, two travel lanes for automobiles (one in each direction), turn-lanes at E. Middle Lane (Park Road), and a two-lane buffered BRT guideway in the median of MD 355. The undergrounding concept was described by the study as the concept that would offer the greatest opportunities for transportation and urban design improvement in the central portion of the MD 355 – Rockville Pike corridor because it would remove two at-grade travel lanes of travel, and replace them underground with four through-traffic lanes.

The 2015 study stated that this transportation concept would also allow the existing right-of-way to be better utilized for pedestrian and BRT transit patron use at the surface, enhancing the corridor for multi-modal use. However, the study also explained that this concept would likely require widening of the right-of-way in certain surface locations, offering some opportunities for opens spaces and beautification. The study concluded that separating the through-traffic from the local traffic, by constructing a tunnel, would offer an opportunity for integrating BRT service into Town Center.

The benefits of the undergrounding of MD 355 in Town Center included in this study were:

- New transit option and dedicated bus lanes provide more reliable BRT travel times.
- Significant through-vehicle traffic is eliminated from the surface of MD 355.
- Maintains or improves current level of service at all but one intersection (at least a 33% reduction in afternoon rush hour traffic volume).
- Potential to retain existing vehicle lane widths.
- Allows for more open space and amenities on surface; opportunity for stronger place-making, redevelopment opportunities, and other potential circulation improvements.

- Maintains similar crossing distances to today and provides for pedestrian crossing refuges.

The drawbacks included the following:

- Potential weaving of local and through traffic at tunnel entrances and exits.
- Reduces at-grade capacity of MD 355 (taking lanes for BRT).
- Highest cost of construction of the three options considered.
- Highest construction complexity and longer time to build.

This 2015 study estimated the cost of this concept to be approximately \$214 million, not including right-of-way or utility undergrounding/relocation costs. The study also warned about the risks and complications associated with tunnels. It suggested a careful review of items such as site topography, soil conditions, and subsurface structures to allow an estimating engineer to determine reasonable values for construction alternatives with more confidence. Such information was not available at this planning level of project development; and with this in mind, the study suggested a total cost range of \$200 million to \$300 million, for future planning purposes. Those 5-year-old cost estimates would likely need to be revised upwards to reflect current and future costs.

#### Rockville 2040 Draft Comprehensive Plan

The Planning Commission has recently completed public hearings on the draft Comprehensive Plan, Volume II: Planning Areas, with the public record due to close on October 7th. Public hearings on Volume 1: Elements, were held last year. Both volumes, which were edited and then approved for release by the Planning Commission, discuss the Rockville Metro Station and the importance of improving the pedestrian movement between the station and the activity area west of MD 355 (as well as to neighborhoods east of the station). Volume 1 has an entire policy (#14) in the Transportation Element focused on the redesign and reconstruction of Rockville Station as a 21st century multi-modal transit hub, which would include direct access from an improved pedestrian bridge to the rail platforms. The draft 2040 Comprehensive Plan, as currently written, adopts the existing (2001) Town Center Master Plan by reference, thereby incorporating all policies that are not superseded in the 2040 Comprehensive Plan. No such superseding policy is in the current draft. Therefore, the undergrounding of MD 355 with an elevated promenade would continue to be the City's long-term policy unless a different concept is specifically inserted into the 2040 Comprehensive Plan, or an update is completed to the Town Center Master Plan.

Once the Planning Commission has completed its review of public testimony, it will make edits to the draft, approve it, and then recommend it to the Mayor and Council. Staff anticipates that the Mayor and Council will receive the Plan for its review early in 2021.

#### Upcoming Discussion of Scope of Work for WMATA Station Study

On October 19, 2020, the Mayor and Council will discuss the upcoming WMATA study of the Rockville Metro Station. A draft scope of work has been developed for the study, based in large measure on input received at a March 4th meeting that included representatives from WMATA, the City, Montgomery County, and REDI. City staff has worked with WMATA on edits to the WMATA-developed draft and received input from Montgomery County and REDI. On October 19th, Mayor and Council will have the opportunity to discuss and offer edits to the draft scope

of work, which currently makes mention of potentially studying both an improved and expanded pedestrian bridge/promenade and undergrounding of MD 355. In the draft scope of work, the specific items to be studied will be finalized during a process that includes public visioning, which is the first key public step, and a subsequent conversation with the Mayor and Council.

It is clear from the above that the City could benefit from clarity on its policy towards the area in Town Center along MD 355. The current City position is documented in the 2001 Town Center Master Plan, which envisions a promenade elevated above the existing grade of Rockville Pike and the roadway undergrounded. Staff recommends that the vision that the Mayor and Council ultimately approve be incorporated into the 2040 Comprehensive Plan, which is scheduled to go to the Mayor and Council in early 2021 and/or in an updated Town Center Master Plan. Any vision that includes an elevated promenade (whether alone or in conjunction with a new pedestrian bridge to the Rockville Station); undergrounding lanes of traffic; or constructing something else within the existing state roadway, will require an extensive amount of time, coordination and money. This is compounded by the complexity and environmental issues associated with underground and overhead construction.

In summary, direction on this item is needed now or during the Mayor and Council's review of the 2040 Comprehensive Plan. Specifically, whether the proposal of undergrounding MD 355 should be pursued in the future or whether an elevated promenaded would be desired.

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### **Mayor and Council History**

This is the first time this item has been brought before the Mayor and Council.

**Jenny Kimball**

Jenny Kimball, Deputy City Manager

9/30/2020



Mayor & Council Meeting Date: October 5, 2020  
Agenda Item Type: Review and Comment  
Department: City Manager's Office  
Responsible Staff: Jenny Kimball

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## Subject

Action Report

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## Recommendation

Staff recommends that the Mayor and Council review and comment on the Action Report, including the added rows on the first page, provided in response to the Mayor and Council's request to capture topics that will be addressed on a future agenda but are not yet scheduled.

## Attachments

Attachment 14.A.a: MC Action Report Master 2020 \_REVISED 093020 (PDF)

A handwritten signature in black ink, reading "Rob DiSpirito", is written over a horizontal line.

Rob DiSpirito, City Manager

9/30/2020



Blue - new items to the list.

Red - latest changes.

### Mayor and Council Action Report

Future Agenda Items to Schedule					
Topic:			Notes:		
5G Wireless Technology			See Action Report Item 2020-02.		
Daytime Support for Youth during Virtual Learning			Councilmember Ashton will share information from the Black and Brown Coalition for Educational Equity and Excellence about supporting families struggling with access to a affordable child care and successful virtual learning.		
Drones and Public Safety			See Action Report Item 2020-04.		
Moderately Priced Dwelling Unit (MPDU) Term Expiration			The Mayor and Council will discuss alternatives to the current MPDU term expiration to support continued growth in the number of affordable units in Rockville.		
Pesticide Ban			The Environment Commission and the Recreation and Parks Board will have this item on their October meeting agendas. Staff will follow up on any additional questions that come up. Staff has had preliminary discussions on this topic and suggests bringing this on an agenda in early 2021.		
Reduction in Force Policy			See Action Report Item 2019-9.		
Social Justice, Racism and Bias			Staff will bring an updated table of action items and plan for implementation of short-term items.		
Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2014-23	9/8/11	R&P	Future agenda	<b>King Farm Farmstead</b>  <b>Status:</b> On April 20, 2020, the Mayor and Council discussed the responses to the request for information (RFI) on potential future uses of the Farmstead. As a next step, staff will work with stakeholders to develop the scope of a request for thorough and detailed proposals for future uses of the Farmstead. <b>Security system installation for the Dairy Barns and house is complete and staff is securing a cost estimate to bring water to the property as the first step in designing/constructing a fire suppression system during FY21 and FY22.</b>	Ongoing
2015-14	7/13/15	CMO	Future agenda	<b>Purchasing Study Response</b>  <b>Status:</b> An update on the Procurement Action Plan was shared on August 3, 2020. The next updated is tentatively scheduled for January 2021.	January 2021

## Attachment A

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2016-12	9/26/16	HR	Future agenda	<b>Vacancy Report/Hiring Freeze Update</b> Provide a Vacancy Report to the Mayor and Council at the first meeting of each month.  <b>Status: The next report will be on the October 19, 2020 agenda.</b>	October 19, 2020
2016-16	10/10/16	PDS	Future agenda	<b>Global Issues on BRT</b> Schedule another discussion on BRT with the City of Gaithersburg and Montgomery County, to include broader issues such as governance and finance. Consider holding the meeting in Gaithersburg.  <b>Status: County staff will present an update on the Viers Mill Rd/MD 586 project to the Mayor and Council on October 19, 2020. County transportation is determining a recommended alternative for design of the MD 355 route.</b>	Ongoing
2016-18	10/24/16	PDS	Future agenda	<b>FAST – Faster, Smarter, More Transparent (Site Plan/Development Review Improvements)</b> Provide regular updates on the status of the work.  <b>Status: A FaST update was provided to the Mayor and Council on November 18, 2019. The next update will be provided by email in October 2020 as an alternative to a Mayor and Council agenda item. The first edition of an updated monthly Development Watch newsletter was prepared to offer the community more information and an improved design.</b>	October 2020
2017-6	2/27/17	CMO	Email	<b>Minority-, Female- &amp; Disabled-Owned Businesses</b> Provide updates on the Procurement Division's activities to engage and support minority-, female- and disabled-owned businesses.  <b>Status: The MFD Report for FY19 and FY20 was shared with the Mayor and Council by email on May 1, 2020. A Mayor and Council agenda item on October 19, 2020 will provide a forward-looking discussion of the City's MFD outreach program, including program metrics, program successes, potential program adjustments. A local preference approach for also will be discussed with the Mayor and Council on a future agenda.</b>	October 19, 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2017-11	6/12/17	R&P	Agenda item	<b>Deer Population in Rockville</b> Continue to monitor the deer population. Consider action steps and gather community input.  <b>Status: The Mayor and Council approved the location, dates and required City Code changes for the pilot deer culling program on June 1 and June 22, 2020. The pilot will be underway on November 21 – 29, December 19 – 27, and January 9 – 16.</b>	January 2021
2018-1	1/22/18	Finance	Action Report	<b>Utility Billing System</b> Provide updates on the replacement of the Velocity Payment System, powered by Govolution.  <b>Status: Implementation with the system vendor is nearly complete and the new tool will be rolled out for customer use in November 2020.</b>	November 2020
2018-7	6/18/18	CMO	Agenda Item	<b>LGBTQ Initiatives</b> Identify and implement Mayor and Council suggestions.  <b>Status: The Adopted FY21 budget includes a new family/gender neutral bathroom at Dogwood Park, to be constructed in FY22. The Human Rights Campaign 2020 Municipal Equality Index results will be issued in the fall. The LGBTQ community will be included in the Mayor and Council's ongoing work on social justice, racism and bias.</b>	Ongoing
2018-8	6/18/18	CMO/RCPD/ R&P	Town Meeting	<b>Rockville Goes Purple</b> <b>Status: The final component of the 2020 National Recovery Month activities is the release of a Rockville 11 interview with Rona Kramer, State Secretary of Aging, on opioids and older adults. View the special at: <a href="https://youtu.be/NoksgFBBY7I">https://youtu.be/NoksgFBBY7I</a>.</b>	Ongoing
2018-11	8/1/18	PDS	Agenda Item	<b>Neighborhood Shopping Centers</b> Discuss mechanisms to encourage neighborhood shopping center revitalization and explore additional zoning and uses.	TBD

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2018-15	10/8/18	PDS	Future Agenda	<b>Short-Term Residential Rentals</b> Discuss how to manage short-term residential rentals' (e.g., Airbnb) impact on city neighborhoods and explore options for taxing users.  <b>Status: Short-term residential rentals was discussed on January 13, 2020. Staff emailed the results of additional research requested by the Mayor and Council on January 23, 2020. A Mayor and Council public hearing on short-term residential rentals is scheduled for November 9, 2020.</b>	November 9, 2020
2018-19	10/15/18	HR	Future Agenda	<b>Volunteer Program</b>  <b>Status: A report on the number of volunteers and volunteer hours for the first half of FY20 was provided on the January 13, 2020 agenda. On November 2, 2020, staff will provide an FY20 volunteer update and discussion of strategies to increase volunteerism. The Mayor and Council will also discuss recruitment of volunteers for boards and commissions during the November 23 agenda item on new boards and commissions.</b>	November 2 and 23, 2020
2019-1	10/29/18	PDS	Future Agenda	<b>Accessory Structures</b>  <b>Status: On April 20, 2020, the Mayor and Council discussed potential revisions to the development standards for accessory structures. The Mayor and Council directed staff to conduct additional neighborhood outreach to educate and inform residents of the proposed changes and to bring back the item for discussion and instruction. Discussion and instruction is tentatively scheduled for the November 16th Mayor and Council meeting.</b>	November 16, 2020 Tentative
2019-2	2/25/19	R&P/PDS/ CMO	Future Agenda	<b>RedGate Park Planning</b>  <b>Status: The Mayor and Council provided staff direction on June 22, 2020 to engage the public in a planning process for a new destination park at Redgate. Staff is procuring new public engagement software to support the effort and will begin the engagement process this fall. The Mayor and Council will receive updates during the planning process and will be engaged in the public outreach portion of the work.</b>	Ongoing

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2019-4	3/25/19	PDS	Future Agenda	<b>Business Improvement Districts (BIDs) and Tax Increment Financing (TIF)</b>  <b>Status: The Mayor and Council requested background information and a briefing on Business Improvement Districts, Arts &amp; Entertainment Districts, and Tax Increment Financing. The Mayor and Council will discuss special districts and other financing tools during the October 19, 2020 meeting.</b>	October 19, 2020
2019-7	4/1/19	R & P	Memo	<b>Early Childhood Education and Child Care Services</b> Discuss city provision of early childhood education services (history of the current program, community need for the service, private sector market, expansion to additional Rockville locations) and future services.  <b>Status: The Mayor and Council will take up this topic again on November 16, 2020. To prepare for the discussion, staff will obtain the results of a childcare user survey conducted for Montgomery County's Early Childhood Coordinating Council (ECCC) and will incorporate information requested in recent conversations with the Mayor and Council.</b>	November 16, 2020
2019-9	4/1/19	HR	Memo	<b>Reduction in Force (RIF) Policy</b> Prepare a Reduction in Force (RIF) policy to be incorporated in the Personnel Policy and Procedures Manual update.  <b>Status: Mayor and Council will consider this policy following the review of the proposed Personnel Policies and Procedures Manual (PPM), scheduled for October 26, 2020.</b>	TBD
2019-10	4/1/19	HR	Email	<b>Personnel Policy and Procedures Manual Update</b> Share an update on the status of this effort.  <b>Status: In follow up to the Feb. 24 presentation of the updated PPM, the Mayor and Council is scheduled to discuss again on October 26, 2020. Staff will provide the revised draft PPM in advance of the October 26 brief book.</b>	October 26, 2020



Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2019-11	4/1/19	HR/Finance	Future Agenda	<b>Retirement Incentive/Employee Buyout Program</b> Provide information about employee buyout programs and discuss the potential for a Rockville program.  <b>Status: Director of Finance provided an update to the Mayor and Council via email on May 3, 2019. Staff suggests that the Mayor and Council take this up during one of the two December 2020 meetings.</b>	December 2020
2019-12	4/1/19	Police	Future Agenda	<b>Parking Enforcement at Street Meters</b> Share an overview of Rockville's current program and how other local jurisdictions handle parking enforcement at street meters, including hours of enforcement.  <b>Status: Town Center parking meter spaces have been signed as 15- minute curbside pick-up and a system for improved food pick up is in place in Town Square to support food service establishments.</b>	Ongoing
2019-19	12/16/2019	City Clerk/Director of Council Operations	Worksession	<b>Boards and Commissions Task Force Work Session</b> Continue the Mayor and Council's discussion of the Boards and Commission Task Force (BCTF).  <b>Status: The Mayor and Council discussed the Task Force's report and next steps on July 6, 2020. The Mayor and Council directed the three appointed officials to return on agenda, on November 2, 2020 with specific updates and responses to the recommendations in the report and an action plan for next steps. The Mayor and Council will also discuss recruitment of volunteers for boards and commissions during the November 23 agenda item on new boards and commissions.</b>	November 2, 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-02	1/13/2020	PDS/DPW/ CAO	Memo and Future Agenda	<b>5G Wireless Technology</b>  <b>Status:</b> On March 18, 2020 and May 11, 2020, the Mayor and Council discussed and introduced Zoning Text Amendment TXT2019-00251 on regulating the Installation of Small Cell Antennas. Staff is researching topics and questions raised by the Mayor and Council prior to scheduling adoption of the Ordinance. In addition, the FCC has issued another order which requires that this text amendment be modified prior to adoption. Staff is currently evaluating what changes must be made. It is likely that the text amendment may be modified significantly and would require beginning the public review process again. The CAO has hired an outside attorney who is assisting with the ordinance rewrite. Once this is completed, staff will bring this item back for discussion and instruction.	Winter 2020
2020-03	1/13/2020	DPW	Memo and Future Agenda	<b>Climate Change Efforts</b> Brief the Mayor and Council on City efforts related to climate change.  <b>Status:</b> The Mayor and Council discussed the Climate Action Plan on September 21, 2020. Staff will follow up on the community input/ open house process and the analysis of electric vehicles in the City fleet.	Fall/Winter 2020
2020-04	1/13/2020	Police	Memo and Future Agenda	<b>Drones and Public Safety</b> Explore potential public safety issues associated with drones and how the City could consider monitoring, regulating and penalizing criminal activity.	Winter 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-07	1/13/2020	PDS	Future Agenda	<p><b>Affordable Housing Goals</b> Discuss Rockville's strategy to meet the affordable housing goals established by the Metropolitan Washington Council of Governments (COG).</p> <p><b>Status:</b> Multiple future agenda items will explore a variety of strategies to meet the affordable housing goals, including adjustments to the City's Moderately-Priced Dwelling Unit (MPDU) program, tax exemptions for affordable housing, fees and other subsidized housing programs. Staff will explore with the Mayor and Council other barriers to affordable housing by reviewing the zoning ordinance, identifying developable and under-utilized parcels, and seeking additional affordable housing funding opportunities and tools. To inform the future agenda items, staff will conduct public forums to solicit feedback on strategies.</p> <p>The City's Homeowners Tax Credit Program and the County's Senior Tax Credit Program will be included in the Mayor and Council's discussion during the first FY22 Budget worksession on November 9, 2020.</p> <p>Staff is also developing a system for tracking MPDU expiration dates (there are about 900 units with different expiration dates).</p>	Ongoing
2020-09	1/27/2020	DPW	Future Agenda	<p><b>Corridor Cities Transitway</b> Provide background information to facilitate the current Mayor and Council taking an official position on the CCT route. <b>Status:</b> Discussion will be scheduled for a future Mayor and Council meeting.</p>	TBD
2020-10	1/27/2020	DPW	Future Agenda	<p><b>I-270 widening</b> Establish a strategy for negotiating with the State.</p> <p><b>Status:</b> Mayor Newton spoke at the public hearing on Sept. 10. The comment period on the DEIS was extended from Oct. 8 to Nov. 9. <b>The Mayor and Council will discuss the DEIS on October 26 and approve written comments to SHA on November 2, 2020.</b></p>	October 26 and November 2, 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken / Status	Timeline
2020-08	1/27/2020	CMO/PDS/ Finance/ DPW	Worksession	<p><b>Town Center</b> Follow up on Mayor and Council direction from the Town Hall meeting and Urban Land Institute (ULI) report. <b>Status: A status update and discussion of Town Center initiatives will be provided to the Mayor and Council on October 5, 2020.</b></p> <p><b>Parking</b> – Explore improvements to parking in Town Center <b>Status: Parking will be included in the October 5, 2020 Town Center discussion.</b></p> <p><b>Town Center Road Diet</b> – Study and report to Mayor and Council on suggestions in the TAP report and Mayor and Council's discussion. <b>Status: The consultant will present their analysis of No. Washington St and Middle Ln to the Mayor and Council on October 5, 2020.</b></p> <p><b>Real Estate/Broker/Economist Assessment</b> – In the context of the next update on the ULI recommendations, invite industry experts to dialogue on competitive challenges to Town Center. <b>Status: The REDI board of directors and staff will be present for the next Town Center/ULI Update and provide an opportunity to receive their professional insights on competitive challenges to Town Center.</b></p> <p><b>Undergrounding of Route 355</b> – Revisit the information provided to the Mayor and Council, including community impacts, to formulate an official Mayor and Council position post COVID-19. <b>Status: Discussion is scheduled for October 5, 2020.</b></p>	Ongoing
2020-11		PDS	Future Agenda	<p><b>Annexation Options</b> Discuss annexation options.</p> <p><b>Status: Discussion of a proposed annexation plan and potential annexation of properties near the intersection of MD 355 and Shady Grove Road is scheduled for November 23, 2020.</b></p>	November 23, 2020
2020-12	4/27/20	R&P	Future Agenda	<p><b>Resident Company Briefing</b></p> <p><b>Status: On the October 26, 2020 Mayor and Council agenda, resident companies will share information about their plans to resume operations and their business plans to support ongoing operations.</b></p>	October 26, 2020

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-13	4/27/20	CMO	Email	<p><b>Census Outreach Update</b> Provide an update on the efforts completed, underway and planned to continue encouraging Rockville residents to complete the 2020 Census.</p> <p><b>Status: Updates on Census outreach efforts were emailed to the Mayor and Council on May 17, July 19, and Sept. 3, 2020. The Mayor and Council sent a letter to Rockville's federal delegation on September 17, 2020 requesting support to extend the Census collection period through October.</b></p>	Ongoing
2020-14	4/20/20	CMO/CAO	Future Agenda	<p><b>Smoking/Vaping Awareness Campaign (Public Rights-of-Way &amp; multi-family residential developments)</b> Develop a public awareness campaign about the negative impacts of smoking generally, on people with underlying health conditions and on neighbors in multi-family residential communities.</p> <p><b>Status: The Mayor and Council discussed this topic on July 20, 2020. As a next step, staff will prepare a communications plan that reflects the Mayor and Council's feedback. A proclamation for the Great American Smokeout is scheduled for the October 26 Mayor and Council meeting.</b></p>	October 26, 2020
2020-16	6/1/20	RCPD	Future Agenda	<p><b>Social Justice, Racism and Bias</b> Prepare suggestions for Mayor and Council discussion of ways to further engage with and educate our community.</p> <p><b>Status: On June 22, 2020, the Mayor and Council discussed the Rockville City Police Department's (RCPD) fair and impartial policing strategies. Frequently Asked Questions were posted online to educate the community. The Mayor and Council provided direction on a new Community Policing Advisory Board, to be discussed on November 16, 2020.</b></p> <p><b>On July 20, 2020, the Mayor and Council adopted a Resolution making Juneteenth an official City holiday and discussed social justice, racism and bias. A discussion of short, mid and long-term action ideas, aspirations and directives was held on September 21, with Mayor and Council direction to staff to further revise the table of ideas and develop a plan for next steps.</b></p> <p><b>Staff is monitoring activity at the State level on changes to the Law Enforcement Officers Bill of Rights (LEOBR) and will bring this topic to the Mayor and Council in the development of the 2021 State Legislative program.</b></p>	November 16, 2020



## Attachment A

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-17	6/1/20	CMO	Email	<b>Spanish Language Article in Rockville Reports</b> Provide background information about the City's former practice of translating to Spanish one of the articles of priority interest to the community into each edition of Rockville Reports.  <b>Status: Staff shared the requested information by email on June 16, 2020.</b>	TBD
2020-18	6/8/20	CC/DCO	Future Agenda	<b>New Education Commission/Committee</b> Discuss the possibility of establishing a new commission or committee on education.  <b>Status: Discussion is tentatively scheduled for November 23, 2020.</b>	November 23, 2020

**Completed:**

Ref. #	Meeting Date	Staff/ Dep	Response Method	Direction to Staff/ Action Taken/ Status	Timeline
2020-01	1/6/2020	Police	Future Agenda	<b>Emergency Management Program</b> Receive an update from the Emergency Manager on the city's emergency management program and activities.  <b>Status: The Emergency Manager provided an update on the Emergency Management Program during the July 6, 2020 agenda. Staff will share a six-month update in writing in January 2021 and another verbal update in summer 2021. These twice-yearly updates will be ongoing to keep the Mayor and Council informed.</b>	Completed



Mayor & Council Meeting Date: October 5, 2020  
Agenda Item Type: Review and Comment  
Department: City Clerk/Director of Council Operations Office  
Responsible Staff: Sara Taylor-Ferrell

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## Subject

Future Agendas

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## Recommendation

## Attachments

Attachment 15.A.a: 10.19.2020 Mock Agenda (DOC)

Attachment 15.A.b: Future Agendas as of 10.5.2020 (XLS)

A handwritten signature in black ink, reading "Sara Taylor-Ferrell".

Sara Taylor-Ferrell, City Clerk/Director of Council Operations 9/30/2020



## MAYOR AND COUNCIL

**MEETING NO.**  
**Monday, October 19, 2020 – 6:00 PM**

### MOCK AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to the state directives for slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

#### Viewing Mayor and Council Meetings

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at [www.rockvillemd.gov/rockville11](http://www.rockvillemd.gov/rockville11), and available a day after each meeting at [www.rockvillemd.gov/videoondemand](http://www.rockvillemd.gov/videoondemand).

#### Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to [mayorandcouncil@rockvillemd.gov](mailto:mayorandcouncil@rockvillemd.gov) by no later than 10:00 a.m. on the date of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your **Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone)** to [mayorandcouncil@rockvillemd.gov](mailto:mayorandcouncil@rockvillemd.gov) no later than **9:00 am on the day of the meeting**.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 5:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex>
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test:** <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 3 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

#### Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Feinberg)

Drop-In Sessions will be held by phone on Monday, November 9 from 5:30-5:45 p.m. **Please sign up by 2 p.m. on the meeting day using the form at:** <https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

- 6:00 PM    **1.    Convene**
- 2.    Pledge of Allegiance**
- 3.    Agenda Review**
- 6:05 PM    **4.    City Manager's Report**
- 6:15 PM    **5.    COVID-19 Update**
- 6:30 PM    **6.    Proclamation**
- A.    REDI Business Week Proclamation**
- 6:40 PM    **7.    Charter Review Commission Appointments and Announcement**
- A.    Announcements of Appointments 2020 Charter Review Commission**
- 6:45 PM    **8.    Community Forum**
- Any member of the community may address the Mayor and Council for 3 minutes during Community Forum. Unless otherwise indicated, Community Forum is included on the agenda for every regular Mayor and Council meeting, generally between 7:00 and 7:30 pm. Call the City Clerk/Director of Council Operation's Office at 240-314-8280 to sign up to speak in advance or sign up in the Mayor and Council Chamber the night of the meeting.
- 9.    Mayor and Council's Response to Community Forum**
- 7:00 PM    **10.   Public Hearing on Zoning Text Amendment TXT2020-00257, to Amend Article 10 of the Zoning Ordinance to Establish a New Section Titled "Design Guidelines" to Implement the Draft East Rockville Design Guidelines and Standards; Mayor and Council of Rockville, Applicants**
- 7:45 PM    **11.   Consent**

- A. Revisions to Face Covering Policy for COVID-19 Pandemic
- B. Award of a Cooperative Agreement Contract for Construction Phase Engineering Services for the Rockville Intermodal Access: Baltimore Road CIP Project, to Rummel, Klepper, and Kahl, LLP, in the Amount Not to Exceed \$148,036.08
- C. Tentative - Master Control Suite/Office Renovation and PEG Studio Set Build
- D. Award of IFB #01-19, Rockville Intermodal Access: Baltimore Road Improvements, to Locust Lane Farms, Inc. of Upper Marlboro, MD in the Amount Not to Exceed \$5,809,224.12.

- 7:50 PM 12. Discussion on the 2020 Charter Review Commission Scope of Work
- 8:50 PM 13. Presentation of the MD 586 Bus Rapid Transit (BRT) Project
- 9:35 PM 14. Washington Metropolitan Area Transit Authority (WMATA) Rockville Station Study Scope
- 10:05 PM 15. Revised FY19 Procurement Annual Report
- 10:25 PM 16. Follow-Up Discussion on Minority, Female and Disabled-Owned (MFD) Business Outreach Program FY19 and FY20 Reports
- 10:45 PM 17. Discussion of BIDs, TIFs, and Other Financial Tools for Town Center
- 11:30 PM 18. Vacancy Report/Hiring Freeze Status
- 11:40 PM 19. Review and Comment - Mayor and Council Action Report
- 20. Review and Comment - Future Agendas
- 21. Old/New Business



12:00 AM **22. Adjournment**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: <http://www.rockvillemd.gov/mcguidelines>.

Future Agendas  
As of 10/05/2020

15.A.b

Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting: 10/12/20 06:00 PM		Selection of Charter Review Commission Appointments
Closed Session: 06:00 PM		Building Security
Meeting : 10/26/20 07:00 PM ( 9 items)		
Appointments & Announcement of Vacancies	5	Boards and Commissions Appointments, Reappointments and Announcement of Vacancies
Proclamation	5	Great American Smokeout Proclamation
Introduction and Possible Adoption	30	FY 2021 Budget Amendment (Amendment #1)
Presentation	10	Fourth Quarter FY 2020 Financial Report
Public Hearing	20	FY 2022 Budget Public Hearing
Consent	5	Pension Plan Restatement
Discussion and Instructions	90	Discussion of the Personnel Policies and Procedures Manual
Presentation and Discussion	60	Discussion and Instructions on DEIS for I-495 and I-270 Managed Lanes Project
Presentation	30	The F. Scott Fitzgerald Theatre Resident Companies Present Their Business Plans to Mayor and Council
Total Meeting Time (In Hours)	4 HR 15 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
Meeting : 11/2/20 06:00 PM ( 7 items)		
Discussion and Instructions	90	Tentative- Staff Recommendations on Boards and Commissions Task Force Follow-Up
Presentation	30	Volunteer Program Update
Proclamation	5	Municipal Government Works Proclamation
Presentation	60	Presentation on Proposed Water and Sewer Rate Structures Based on Property Classification
Discussion and Possible Approval	45	Discussion of Additional Testimony to the County Council on the Montgomery County Growth Policy
Consent	5	Approval of Letter to SHA Regarding Comment on the DEIS for the I-495 and I-270 Managed Lanes Project
Discussion, Instructions and Possible Adoption	30	Recreation and Parks Strategic Plan

Attachment 15.A.b: Future Agendas as of 10.5.2020 (3352 : Future Agendas)

Future Agendas  
As of 10/05/2020

15.A.b

<b>Total Meeting Time (In Hours)</b>	<b>4 HR 25 MINS</b>	
<b>Category</b>	<b>Estimated Agenda Time Needed (in minutes)</b>	<b>Title</b>
<b>Meeting : 11/9/20 07:00 PM ( 8 items)</b>		
Consent	5	2021 State Legislative Priorities
Public Hearing	20	Public Hearing on Proposed Water and Sewer Rate Structures Based on Property Classification
Work Session	45	FY 2022 Budget Worksession (Calendar, Process, Preview)
Discussion	10	Vacancy Report/Hiring Freeze Status
Public Hearing	45	Short-Term Rental Public Hearing: Potential Permissions & Regulations
Consent	5	Adoption of a Resolution to Approve Amendments to the Stormwater Management Regulations So as to Revise the As-Built Submission and Certification Requirements for Development Projects that Consist of Three or Less Individual Single Unit Detached or Semi-Detached Dwelling Units
Presentation and Discussion	45	Presentation and Discussion and Instructions on Wayfinding
Approval	45	Arts in Public Places - Arts Projects - Rockville Swim and Fitness Center & Rockville Gateway Projects
<b>Total Meeting Time (In Hours)</b>	<b>3 HR 40 MINS</b>	
<b>Category</b>	<b>Estimated Agenda Time</b>	<b>Title</b>
<b>Meeting : 11/16/20 07:00 PM (8items)</b>		
Discussion	20	Request to Increase Ethics Commission Membership
Discussion and Instructions	20	Tentative Discussion and Instruction - Increase Members on the Board of Supervisors of Elections
Appointments & Announcement of Vacancies	5	Boards and Commissions Appointments and Reappointments
D & I, Possible Introduction & Possible Adoption	30	Tentative - East Rockville Design Guidelines, TXT2020-00257, Discussion, Introduction & Possible Adoption

Attachment 15.A.b: Future Agendas as of 10.5.2020 (3352 : Future Agendas)

Future Agendas  
As of 10/05/2020

15.A.b

Discussion and Instructions	30	Tentative - Discussion and Instructions to Staff on Further Actions for Zoning Text Amendment Application TXT2019-00254 - to Revise the Height Standards, Maximum Footprint, and Rear Yard Coverage Requirements for Accessory Buildings and Structures in Residential Zones, Including Revisions to Add a Grandfather Clause Allowing Accessory Buildings Approved Under a Prior Ordinance to be Retained and Include a New Definition for a Breezeway
Discussion and Instructions	30	Tentative - Discussion and Instruction on Zoning Text Amendment TXT2019-00255 - Accessory Dwellings
Discussion and Possible Approval	30	Community Policing Commission - Next Steps
Discussion	60	Rockville Early Childhood Education
Total Meeting Time (In Hours)	3 HR 50 MINS	
Category	Estimated Agenda Time Needed (in minutes)	Title
<u>Meeting : 11/23/20 07:00 PM (7 items)</u>		
Discussion and Instructions	45	Tentative - Discussion on New Boards and Commissions and Nominations
Discussion and Instructions	45	Tentative - Discussion and Instruction - Small Cell Antennas
Presentation	20	Tentative - FY20 Procurement Annual Report
Presentation	20	Tentative FY 2021 Revenue Update (If Needed)
Discussion	30	Discussion of Proposed Annexation Plan and Potential Annexation of Properties Near the Intersection of MD 355 and Shady Grove Road
Public Hearing	20	Tentative - Public Hearing on Zoning Text Amendment TXT2020-00256, to Amend Section 25.21.21 of the Zoning Ordinance To Modify the Tree Planting Requirements for New Residential Lots Containing Townhouses, Duplexes and Other Attached Units; Mayor and Council of Rockville, Applicants
Presentation	45	Tentative - Presentation on Proposed Parkland Dedication Requirements
Total Meeting Time (In Hours)	3 HR 45 MINS	

Attachment 15.A.b: Future Agendas as of 10.5.2020 (3352 : Future Agendas)

Future Agendas  
As of 10/05/2020

15.A.b

Category	Estimated Agenda Time Needed (in minutes)	Title
<b>Meeting : 12/07/20 07:00 PM (14 items)</b>		
Recognition	20	Good Neighbor Awards
Discussion and Possible Approval	60	Discussion and Possible Approval of Proposed Water and Sewer Rate Structures Based on Property Classification
Presentation	10	First Quarter FY 2021 Financial Report
Presentation and Discussion	45	FY 2022 Budget Priorities and Survey Results
Presentation	20	Fiscal Year 2020 Audited Comprehensive Annual Financial Reports (CAFR)
Presentation	10	Fiscal Year 2020 Popular Annual Financial Report (PAFR)
Approval	5	Approval of FY2022 CDBG Grant Application Submission
Presentation and Discussion	30	Historic Resources Management Plan Presentation and Discussion
Consent	5	Award Requirements Contract for Construction, Repair, and Maintenance of Concrete Sidewalk, Curb, Driveway Aprons, and
Consent	5	Award IFB #(TBD), Thin Lift Asphalt Rehabilitation, Patching, and Milling Related Asphalt Maintenance Work on Various Streets, to (Vendor) in the Amount Not to Exceed (TBD)
Consent	5	Approval to Extend Contract #44-15, Water Main Rehabilitation to Sagres Construction Corporation and Emergency Utility Repairs to Mid Atlantic Utilities Inc. through December 31, 2021
Consent	5	Approval to Increase Contract #01-18, Professional Engineering Services at the Water Treatment Plan: Electrical Distribution Systems Upgrade, to CDM Smith Inc., in an Amount Not to Exceed \$435,000
Consent	5	Approval to Increase Rider on Baltimore County Contract #B-1101, Stormwater Management Facility Maintenance, to (Vendor) in the Amount Not to Exceed \$300,000
Consent	5	Award of Maryland State Rider Contract #060B7400088, Two-Way Radio, to (Vendor) in the Amount of \$367,500

**Total Meeting Time (In Hours)**      **3 HR 50 MINS**

Category	Estimated Agenda Time Needed (in minutes)	Title
<b>Meeting : 12/14/20 07:00 PM (3 item)</b>		
Appointments & Announcement of Vacancies	5	Boards and Commissions Appointments and Reappointments
Recognition	20	Good Neighbor Awards
Discussion	10	Vacancy Report/Hiring Freeze Status

**Total Meeting Time (In Hours)**      **0 HR 35 MINS**

Category	Estimated Agenda Time Needed (in minutes)	Title
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Attachment 15.A.b: Future Agendas as of 10.5.2020 (3352 : Future Agendas)



Future Agendas  
As of 10/05/2020

15.A.b

Meeting : 1/11/21 07:00 PM (1 item)		
Appointments & Announcement of Vacancies	5	Boards and Commissions Appointments and Reappointments
Total Meeting Time (In Hours)	0 HR 5 MINS	

Attachment 15.A.b: Future Agendas as of 10.5.2020 (3352 : Future Agendas)